

DEPARTMENT OF AGRICULTURE ACKNOWLEDGEMENT FORM

Division: _____ Budget Account/Agency Org#: _____

Employee ID#: _____

I, _____, acknowledge I have received and reviewed the following Department of Agriculture Policies and Procedures:

- ☐ Policy AG-1-HR-1 Attendance and Leave
- ☐ Policy AG-1-HR-2 Catastrophic Leave
- ☐ Policy AG-1-HR-3 Family and Medical Leave Act
- ☒ Policy AG-1-HR-4 Furlough Leave **Pulled for Further Revisions**
- ☐ Policy AG-1-HR-5 Working Schedules
- ☐ Policy AG-1-HR-6 Overtime – Approval/Recording
- ☐ Policy AG-1-HR-7 Outside Employment Authorization
- ☐ Policy AG-1-HR-8 Work Performance Standards
- ☐ Policy AG-1-HR-9 Employee Appraisal and Development
- ☐ Policy AG-1-HR-10 Workplace Violence Prevention
- ☒ Policy AG-1-HR-11 Carrying of Firearms and Deadly Weapons **Pulled for Revisions**
- ☐ Policy AG-1-HR-12 Operating a Vehicle on State Business
- ☐ Policy AG-1-HR-13 Ethical Behavior
- ☐ Policy AG-1-HR-14 Volunteer Services
- ☐ Policy AG-1-HR-15 Training/Employee Development
- ☐ Policy AG-1-HR-16 Recruitment & Hiring
- ☐ Policy AG-1-HR-17 Personal Appearance
- ☐ Policy AG-1-HR-18 Employee Termination Checklist
- ☐ Nevada Department of Agriculture Prohibitions and Penalties

I understand that it is my responsibility to comply with these policies and procedures and non-compliance could result in disciplinary action.

Signature of Employee

Date

Signature of Division Representative

Date

NEVADA DEPARTMENT OF AGRICULTURE
ATTENDANCE AND LEAVE
POLICY #AG-1-HR-1

PURPOSE:

This policy establishes procedures for all employees and supervisors in accurately requesting, approval, monitoring, and reporting of all leave categories available to employees.

POLICY:

It is the policy of the Department of Agriculture to ensure the use of leave is exercised in a responsible manner. Employees and supervisors are expected to follow the procedures set forth in this policy for requesting, approval, monitoring and reporting of all employee leave.

SCOPE:

This policy and the procedures contained within shall apply to all Department employees.

REFERENCES:

Nevada Revised Statutes (NRS) 284.065 through 284.360; Nevada Administrative Code (NAC) 284.5231 through 284.598; and Nevada Employee Action and Timekeeping System (NEATS).

FORM:

As currently provided by the Division of Human Resource Management (DHRM), NEATS and the Department of Agriculture.

RESPONSIBILITY:

1. Agency Human Resource Services (AHRS) shall be responsible for:
 - a. Providing assistance to supervisors and employees in the interpretation and explanation of this policy, other referenced policies, and related statutes and regulations.
2. Supervisors are responsible for:
 - a. Timely reviewing of employee leave requests in NEATS and electronically approving, rejecting or modifying the requests, following NEATS guidelines and procedures outlined in this policy.
 - b. Assigning a second-in command or designated representative and notifying all employees under his supervision that this designated

representative should be contacted regarding all requesting or reporting of leave in the event the supervisor is unavailable or unreachable.

- c. Monitoring employees' leave usage to ensure compliance with provisions in this policy and state regulations and statutes.

3. Employees are responsible for:

- a. Timely reporting and submittal of all leave requests following NEATS guidelines and procedures outlined in this policy.

PROCEDURES:

1. ANNUAL LEAVE

- a. The division administrator or a designated representative shall determine the time when annual leave is to be taken. Considerations in making this decision will include: 1) the needs of the Department; 2) seniority of requesting employees; 3) prevention of significant overtime requirements; and 4) the wishes of the requesting employees.
- b. Annual leave must be requested and approved prior to being taken. Requests for annual leave must be submitted through NEATS by using the Leave Request link at least 48 hours in advance or as soon as the employee is aware of a need for the leave. **A request for annual leave does not constitute approval.** Every effort will be made to accommodate employees in the use of their annual leave; however, there will be times when the needs of the Department require that specific leave requests be denied.
- c. An employee's written request for annual leave submitted through NEATS at least 60 days in advance will be honored unless it will cause an undue hardship to the department. The supervisor or division administrator must respond in writing via email within 15 working days after receipt of the request.
- d. All requests must be electronically approved, rejected or modified by the employee's direct supervisor in NEATS. If verbal approval is given for last minute requests this approval should be documented in an email and noted in the "comments" box in the employee's timesheet.
- e. Annual leave accruals in excess of 30 working days (240 hours) will be forfeited at the end of the calendar year unless the employee has requested and been refused leave, under the provisions of this policy. Requests for cash payment of annual leave in excess of 30 working days (240 hours) may be made **if**, on or before October 15th, an employee had requested annual leave time during that calendar year and the request was denied in writing.

- f. Seasonal/Intermittent employees who are requested to work and unable to do so may be charged a percentage of Annual Leave.
Seasonal/Intermittent employees who request Annual Leave will be charged using a percentage of Annual Leave. The percentage of Annual Leave that shall be used is a percent of the average of hours worked within the previous six months from the date of the denial or inability to work as requested.

2. CATASTROPHIC LEAVE

See separate Department Catastrophic Leave Policy # AG-1-HR-2.

3. COMPENSATORY TIME

- a. **Election of Compensatory Time Agreement:** If the division/department is not in a position financially to support paid overtime, supervisors may authorize compensatory time only. The use of Accrued Compensatory Time (ACT) is an authorized method of payment for overtime work when the employee has agreed, in writing, to utilize that form of compensation.
- b. Employees who choose or agree to the option of compensatory time off complete the Election of Compensatory Time form (DHRM form TS-25). With agreements in place, the employer has the choice, within budgetary limitations, to select either cash payment or accrual of compensatory time off each time overtime is required.
- c. Compensatory time must, whenever possible, be used in a reasonable time after it is accrued.
- d. An employee who has accumulated both annual leave and compensatory time must, whenever possible, use the compensatory time before annual leave is taken. In a "use it or lose it" situation where an employee may forfeit annual leave, this requirement may be waived.
- e. Unless it will cause an undue hardship to the department, a request to use accumulated compensatory time may not be unreasonably denied if the request was made a minimum of two (2) weeks in advance of the first day off.
- f. An employee who has accrued more than 60 hours of compensatory time may request in writing, cash payment for the amount of leave that exceeds 60 hours. The request for cash payment may not be unreasonably denied unless it is determined by the director or his designated representative that there is insufficient money available in the department's budget.

4. SICK LEAVE

- a. **Authorized Use:** The supervisor or division administrator may approve sick leave only after it has been determined that the absence was for an authorized reason and that the employee has sufficient leave balances. Authorized uses of sick leave, are specified in NAC 284.554.
- b. **For absences in excess of three (3) consecutive working days, or for cases of suspected abuse,** the supervisor or division administrator may require that the employee submit substantiating evidence, which may include, but is not limited to, a certificate from a provider of health care of the need for the absence. The employee may be required to submit supplemental information which could include a second and third medical opinion. Circumstances of an employee falsely reporting sick leave may result in disciplinary action up to and including termination.
- c. Employees who have been approved for leave for a qualifying condition under the Family and Medical Leave Act (FMLA) may be approved to use sick leave concurrently with the FMLA leave only to the extent that it is for one of the authorized reasons listed under NAC 284.554.
- d. Seasonal/Intermittent employees shall use a percentage of Sick Leave as defined in NAC 284.554 when they are requested to work and unable to do so. The percentage of Sick Leave that shall be used is a percent of the average of hours worked within the previous six months from the date of the denial to work as requested.
- e. **Requesting Sick Leave That is Anticipated:** If the need for sick leave can be anticipated, the employee must submit the request in advance and have the request approved prior to use. Anticipated leave must be submitted through NEATS by using the Leave Request link located under My Tasks. The employee should then notify the supervisor, by email, of the request in NEATS.
- f. Use of annual leave or compensatory time for sick leave purposes can only occur if the employee's sick leave account is depleted or their annual leave is in a "use it or lose it" status and Division Administrator approval is granted.
- g. If the sick leave absence cannot be anticipated, all employees must comply with the following procedure for reporting absences and will submit their "post sick leave request in NEATS by adding an event line in "draft" timesheet, selecting the appropriate event code for the supervisor to approve in the regular timesheet approval process.

- h. **Procedure For Reporting Absence To Supervisor:** An employee who is absent from duty due to their own illness or the illness of an immediate family member living in the same household must report the reason to his immediate supervisor or designated representative:
- i. Prior to the start of the shift or within one-half hour after the start of the shift if unable to contact the supervisor or designated representative before start of shift; or
 - ii. At the earliest time it becomes physically possible to do so. If direct contact with the supervisor or designated representative is not made within one-half hour of the shift, employee is additionally required to contact the front reception desk if work location is the Sparks administrative building, to ensure the working unit is aware of their absence.
 - iii. Leaving a message with a person other than the immediate supervisor or designated representative, or by a telephone or email message **does not constitute leave approval.**
 - iv. The employee is required to personally notify the supervisor or designated representative unless physically unable to do so. If physically unable to do so, someone else should be appointed to notify the employer.
- i. **Employee Illness While Traveling on Department Business:** If an employee becomes ill while traveling on department business and cannot attend scheduled meetings or training sessions due to that illness, the employee must notify his supervisor as soon as possible. If the illness precludes traveling home on the scheduled departure time, the employee should remain at his or her current location until able to safely travel.
- i. The employee shall use sick leave while away from scheduled activities or work.
 - ii. The employee will receive per diem he would have received if participating in scheduled meetings or training.
- j. **Employer May Place Employee on Sick Leave:** The director or his designated representative may place an employee on sick leave, pursuant to NAC 284.568,
- k. If consideration is being given to placing an employee on sick leave pursuant to NAC 284.568, Agency HR Services should be contacted immediately for assistance and oversight of this process to ensure compliance to statute and regulation. A medical release to return to work

shall be provided to AHRs by the employee prior to returning to the workplace.

5. FAMILY SICK LEAVE

- a. If an employee is needed to provide care for a member of his immediate family, the employee may use his accumulated sick leave, not to exceed 120 hours in any calendar year. The leave should be coded as family sick leave on the employee's timesheet. Family sick leave may also be used for medical, optometric or dental service or examinations for immediate family member as described in NAC 284.554.
- b. The director or designated representative may approve an exception to the 120 hour limitation or the requirement that the relative be living in the employee's household. To obtain an exception, the employee may be required to submit a request in writing to the director.
- c. In order to meet the notification requirements of the FMLA, a supervisor or manager who is notified or becomes aware of the medical condition of an employee or an employee's family member that may be qualifying under FMLA, must immediately consult with an AHRs representative to determine the need for provisional approval of leave under FMLA. See the Department's FMLA Policy # AG-1-HR-3.

6. FMLA LEAVE

See separate Department FMLA Policy # AG-1-HR-3.

7. FURLOUGH LEAVE

See separate Department Furlough Policy # AG-1-HR-4.

8. LEAVE OF ABSENCE WITHOUT PAY (LWOP)

- a. The Director or his authorized representative may approve an employee's request for LWOP, for a period of up to one year, for any satisfactory reason.
- b. Requests for leave without pay must be submitted at least 30 days in advance when the need is foreseeable.
- c. If the need for LWOP is of an emergency nature and is not known 30 days in advance, supporting documentation will be required.
- d. In order to receive consideration for approval of leave without pay, an employee must indicate their intent to return to the Department, and have a satisfactory work record.

- e. An employee may not use leave without pay in lieu of sick leave or annual leave without the approval of the Director or his authorized representative.

9. ABSENT WITHOUT LEAVE (AWOL)

- a. Any unauthorized and unreported absence must be considered an absence without leave and a deduction of pay must be made for the absence.
- b. An absence which is reported but not authorized by the appointing authority may be considered an absence without leave and a deduction of pay may be made for the absence.
 - i. Incidents of failure to report to work in a timely manner may be considered as AWOL, as may calling in more than one half hour after the start of the shift.
 - ii. If an employee exhausts sick leave, does not have prior approval for the use of any other approved leave type, and has not been approved for leave without pay, the leave taken may be considered as AWOL.
- c. AWOL status is cause for progressive disciplinary action as specified in NAC 284.646 or NAC 284.650 and the department's prohibitions and penalties. Progressive discipline ranges from an oral warning to termination.

10. OTHER TYPES OF LEAVE

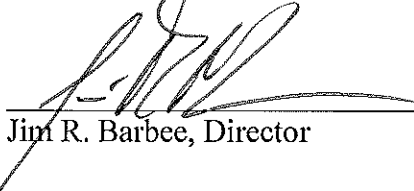
The Nevada Administrative Code defines and describes other types of leave. Please refer to NAC for more information about the following:

- a. Release Time
- b. Administrative Leave
- c. Civil Leave
- d. Military Leave

POLICY COMMUNICATION:

All employees within the Department of Agriculture will receive a copy of this policy and will sign an acknowledgement that they have read and understand the conditions within. Employees needing clarification should contact an AHRS or DHRM representative for more information.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director

3/28/13

Date

APPROVED BY THE BOARD OF AGRICULTURE ON March 26, 2013.
Effective Date

This policy is not a substitute for relevant law or regulation nor does it establish additional rights beyond those provided in law and regulation. This policy is intended to be used in conjunction with the state law and the Rules for State Personnel Administration (NRS & NAC 284).

NEVADA DEPARTMENT OF AGRICULTURE
CATASTROPHIC LEAVE
POLICY #AG-1-HR-2

PURPOSE:

This policy establishes procedures and explanation to employees and supervisors on the use of catastrophic leave.

POLICY:

It is the policy of the Department of Agriculture to grant Catastrophic Leave fairly and consistently to all eligible employees and ensure the use and administration of leave is in accordance with Nevada statutes and regulations.

SCOPE:

This policy and the procedures contained within shall apply to all Department employees.

REFERENCES:

Nevada Revised Statutes (NRS) 284.362 to 284.3626, and 281.390 and Nevada Administrative Code (NAC) 284.575 to 284.5775, inclusive.

FORM:

As currently provided by the Division of Human Resource Management (DHRM).

RESPONSIBILITY:

1. Agency Human Resource Services (AHRs) shall be responsible for:
 - a. Providing assistance to supervisors and employees in the interpretation and explanation of this policy and related statutes and regulations.
 - b. Processing requests for catastrophic leave, reviewing applications, and, acting as representative for the Director of the Department of Agriculture, notifying employees of approval or denial of requests or need for more information.
 - c. Providing oversight of a recipient's period of continued eligibility.
 - d. Maintaining employee catastrophic leave records.
 - e. Providing reports in accordance with NAC 284.576 on the activity of the department's catastrophic leave account on a calendar year basis.
2. Division Administrators/Supervisors shall be responsible for:
 - a. Communicating all rules and procedures to employees.
 - b. Assisting employees, when necessary, in the requesting of leave or donation of leave process.

- c. Initial review of employee request for catastrophic leave and recommending approval or disapproval at the supervisory level.
- 3. Employees are responsible for:
 - a. Requesting the use of catastrophic leave in accordance with this policy, state statutes and regulations and providing all required documentation.
 - b. Contributing leave, if desired, to the department's catastrophic leave bank or to a specific employee in accordance with this policy.

PROCEDURES:

- 1. Catastrophic leave may be granted to an employee when he or she, or a member of his or her immediate family experiences a "catastrophe" as defined in NRS 284.362 and NAC 284.575, and the employee has exhausted all accrued annual, sick, and compensatory leave balances.
- 2. The employee, who is about to deplete all of his/her accrued leave, may request catastrophic leave on the appropriate form. The request must also include a statement from a physician on the appropriate form which substantiates the necessity of the leave.
- 3. All forms related to the request for catastrophic leave must be submitted to the AHRS personnel liaison.
- 4. The Director or his designated representative must approve or deny a request for catastrophic leave prior to any leave being credited to an employee's account.
- 5. An employee aggrieved by any decision of the Director or his designated representative to deny catastrophic leave may appeal that decision by filing a written notice of appeal with the Committee on Catastrophic Leave within 10 days after the date of the decision (NRS 284.3629).
- 6. Approved catastrophic leave will be granted to the eligible employee in the following order:
 - a. Donations directly specified to be used for that employee.
 - b. Allocation from the Department's Catastrophic Leave Bank (the maximum allowance per employee will be 160 hours).
 - c. Requested catastrophic leave may be approved partially and/or incrementally based on the expected length of the condition, and the employee's balance available based on the department bank allocation or as employee donations are received.
 - d. In a calendar year, no employee will receive more than 1,040 hours of

catastrophic leave.

7. The Department May Assist in Soliciting Donations for a specific employee, only if the employee or his representative has indicated in writing that the need for that employee's catastrophic leave may be made public. Donations of leave from other employees are strictly voluntary and no undue pressure will be placed on an employee to donate.
8. Catastrophic leave allocated to an employee for a specific catastrophic situation cannot be used for any other leave use. For example: An employee cannot use allocated catastrophic leave for another unrelated medical condition, e.g., a dental appointment, or unrelated doctor's appointment for the employee or a family member.
9. Confidentiality of Information regarding the medical condition of an employee or an immediate family member will be respected to the greatest extent possible.
 - a. Catastrophic leave files shall be stored in locked medical files separate from the employee's personnel jacket.
 - b. Information regarding eligibility and authorized use of catastrophic leave will be provided to: the Director or his designated representative, the administrator of the employee's division, the employee's immediate supervisor, AHRS, and the department's payroll clerk.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director

3/28/13

Date

APPROVED BY THE BOARD OF AGRICULTURE ON March 26, 2013.
Effective Date

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NEVADA DEPARTMENT OF AGRICULTURE
FMLA LEAVE
POLICY #AG-1-HR-3

PURPOSE

This policy provides information to employees of the Department of Agriculture concerning Family and Medical Leave Act (FMLA) entitlements and obligations under the provisions of the FMLA.

POLICY

All leave which is FMLA qualifying will be designated as such for FMLA eligible employees.

SCOPE

This policy and the procedures contained within apply to all employees working under the authority of or within the Department of Agriculture.

REFERENCES

The Family and Medical Leave Act of 1993 amended by the National Defense of Authorization Act for Fiscal Year 2008 and the National Defense Authorization Act for Fiscal Year 2010; United States Department of Labor Final Rule (29 CFR Part 825); Nevada Administrative Code (NAC) 284.581, 284.5811 and 284.5813.

For more information regarding eligibility, entitlements and other non-discretionary provisions and requirements see the Family and Medical Leave Act Overview: <http://dop.nv.gov/FMLAOverview.pdf>.

FORMS

As currently provided by the Division of Human Resource Management (DHRM).

RESPONSIBILITY:

1. Supervisors shall be responsible for:
 - a. When a supervisor receives notice of a potentially FMLA qualifying event either verbally or through an absence, the supervisor will immediately notify Agency Human Recourse Services (AHRS). The supervisor should direct all future FMLA related matters to AHRS to ensure appropriate timeliness, that documentation is completed, and to maintain confidentiality.

- b. Ensuring the employee's timesheet is coded correctly, once AHRS has informed the supervisor that the leave will be designated as FMLA leave pending approval.
- c. Providing AHRS with current essential functions for the employee's position.
- d. Immediately forwarding the employee's medical release to return to duty to AHRS.
- e. Monitoring employee's leave use to verify it conforms to the estimate(s) provided by AHRS. (If the leave use appears to vary from the provided estimate(s), the supervisor will document the discrepancy(s) and notify AHRS as soon as possible.)
- f. Notifying AHRS when an employee is within 80 hours of going into leave without pay status.

2. Employees are responsible for:

- a. Informing the supervisor and AHRS of the need to take leave for a potentially qualifying event.
 - i. An employee must provide notice as soon as possible and practical, taking into account all of the facts and circumstances in the individual case. Ordinarily, an employee must provide 30 days advance notice (completion of NPD-61 on DHRM website) when the need for leave is foreseeable.
 - ii. Failure to comply may result in leave being delayed or denied.
- b. Forwarding the completed physician's certification form (if applicable) to AHRS.
- c. If employee is on leave without pay, he/she must arrange for payment of his/her portion of health insurance and optional coverage to the Public Employee Benefits Program (PEBP), as noted on form NPD-62.
- d. Providing periodic updates to the employee's supervisor.
- e. Providing a medical release to return to duty to the employee's supervisor, if requested on the NPD-63.
- f. Failure to submit requested documentation may result in an unauthorized absence and be deemed absent without leave (AWOL), which may result in disciplinary action.
- g. Coding of their timesheet with the appropriate FMLA approved codes located in NEATS, and listed on the NPD-62. They can also be obtained by contacting AHRS, or your payroll clerk.

3. Agency Human Resource Services (AHRS) shall be responsible for:

- a. Providing assistance to supervisors and employees in the interpretation and explanation of the provisions and requirements of FMLA.
- b. Providing the employee with all applicable and appropriate FMLA forms and information necessary to apply for and determine the employee's eligibility.

- c. Confirming whether the employee meets the employment eligibility requirements for FMLA leave, upon receiving notification of the need for leave.
- d. Informing the employee's supervisor and the payroll clerk when the leave will be temporarily designated as FMLA, until a determination is made on whether the need for leave is FMLA qualifying.
- e. Providing the employee with the Notice of Eligibility and Rights & Responsibilities (NPD-62), (along with medical certification form and essential functions, if appropriate) within 5 business days of employee's request for leave.
- f. When medical certification or other substantiating documentation is required, notifying the employee of the deadline for returning the necessary documentation (a minimum of 15 calendar days is allowed for return of medical certification).
 - i. If employee submits an incomplete or insufficient certification, AHRs will allow the employee at least 7 calendar days to provide a corrected certification.
 - ii. Advising the employee that failure to submit the required documentation or additional requested information in a timely manner can result in a denial of the request for FMLA leave.
- g. Reviewing all submitted FMLA documentation and providing notice either of denial or approval of FMLA (NPD-63). (Notice to employee with copy to agency payroll clerk).
- h. Providing the supervisor with the following information, as stated on the approval of leave, when applicable:
 - i. Estimated beginning and ending dates of leave.
 - ii. Treatment schedule and/or scheduled appointments, time required for treatment/appointment and recovery.
 - iii. Part-time or reduced work schedule.
 - iv. If applicable, requirement for employee to submit an NPD-81 (medical release to return to work).
- i. Keeping all FMLA paperwork separately, in confidential medical files.
- j. If employee goes on unpaid leave while on FMLA, working with the employee to complete necessary documentation to notify Public Employees' Benefit Program (PEBP) of any necessary changes.
- k. Notifying Public Employees Retirement System (PERS) when an employee goes on unpaid leave, to include the starting date and the return from unpaid leave date.
- l. Notifying the employee's supervisor and the agency payroll clerk of any changes in the nature or duration of the employee's FMLA leave.
- m. Contacting the employee for clarification if there are discrepancies on the certification form.
- n. Verifying receipt of a medical release to return to duty, when applicable.
- o. If the FMLA qualifying event exceeds a single leave year (12 rolling months) (e.g. lifetime condition), requesting a new medical certification.

- p. Providing the supervisor with a worksheet for calculating available FMLA leave balances if advised or aware that employee will approach exhaustion of their entitlement.

PROCEDURES:

1. **FMLA provides eligible employees** up to 12 work weeks of unpaid leave for certain family and medical reasons during a “rolling year”. A rolling year is determined based on a rolling 12 month period measured backward from the date an employee uses his/her FMLA leave. Leave may be taken for any one, or a combination of the following reasons:
 - a. To care for the employee’s child after birth, or placement for adoption or foster care;
 - b. To care for the employee’s spouse, son, daughter or parent (but not in-law) who has a serious health condition;
 - c. For the employee’s own serious health condition (including any period of incapacity due to pregnancy, pre-natal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee’s job; and/or
 - d. Because of any qualifying exigency arising out of the fact that an employee’s spouse, son, daughter or parent is a member of the Armed Forces on active duty during deployment to a foreign country.
2. **Other qualifying exigencies may include** attending certain military events, arranging for alternative child care, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.
3. The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period, measured forward from the first day of usage.
4. **Medical and Other Certifications Required:** Employees will be required to provide medical certification if the leave request is for one of the following qualifying leave events: (1) the employee’s own serious health condition; (2) to care for a qualifying family member’s serious health condition; or, (3) to care for a covered service member.
 - a. Employees will also be required to provide certification if the leave request is for a qualifying exigency.

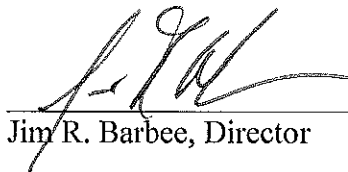
- b. If the requested certification is not received by the date as specified in Section B of the "Notice of Eligibility and Rights & Responsibilities" (NPD-62), it may result in denial of the leave until it is provided.
 - c. If an employee refuses to provide a certification, his/her leave request may be denied and the employee may be subject to absence without approved leave (AWOL).
 - d. Approved certification forms for FMLA (available on the DHRM website under Attendance and Leave) will be used to substantiate a FMLA qualifying leave event.
 - e. Some situations not requiring a certification will still require other appropriate documentation to substantiate the need for leave. In such cases, the employee should contact AHRS for assistance.
 - f. Authentication, clarification and/or second or third opinions may be sought or requested; all of these processes will be administered by AHRS.
 - g. **Re-Certification**: An employer, through AHRS, may request re-certification of a medical condition every six months in connection with an absence by the employee. Re-certification can be requested more frequently than 6 months under some circumstances. For more information, please refer to the FMLA Overview on the DHRM website or contact an AHRS representative.
 - h. **Annual Certification**: If an employee's need for FMLA leave extends beyond a single leave year (12 rolling months), a new medical certification will be required.
5. **Release to Return to Duty**: Any employee returning from FMLA leave for his/her own serious health condition will be required to provide a medical release to return to duty signed by an appropriate health care provider on the form FMLA Medical Release (NPD-81), unless for an approved intermittent condition. In limited circumstances, a medical release to return to duty may be required for intermittent leave. For assistance contact AHRS.
6. **Type of Leave Used**: Approved FMLA leave is not an additional type of leave category available to employees. Employees approved to take FMLA leave are required to use their accumulated sick, annual, and compensatory leave as needed. If the employee has exhausted all leave balances and still has eligibility for FMLA, he/she may be approved for leave without pay or catastrophic leave. The type of leave used under approved FMLA is addressed in Nevada Administrative Code NAC 284.5811. If the employee has questions on appropriate leave to use, they may contact the department payroll clerk or AHRS.

7. **Alternative Employment While on FMLA Leave:** An employee must receive pre-approval from the AHRS Personnel Officer before accepting volunteer work, other employment, or engaging in self-employment while on FMLA leave or any other authorized leave of absence. Approval of work while on approved leave will be evaluated on a case-by-case basis. Work that is in conflict with the interest of the department will be disallowed.

POLICY COMMUNICATION:

All supervisors and managers of the Department of Agriculture will receive a copy of this policy. Supervisors will ensure all assigned employees are aware of the requirements of this policy. Supervisors or employees needing clarification should contact AHRS, or their Division Administrator for assistance/problem solving.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director

3/28/13

Date

APPROVED BY THE BOARD OF AGRICULTURE ON March 26, 2013.
Effective Date

This policy is not a substitute for relevant law or regulation nor does it establish additional rights beyond those provided in law and regulation. This policy is intended to be used in conjunction with the Family and Medical Leave Act (FMLA), federal regulations, state law, the Rules for State Personnel Administration (NRS & NAC 284) and the Overview of the Family & Medical Leave Act published by the Department of Administration, Division of Human Resources Management.

NEVADA DEPARTMENT OF AGRICULTURE
WORKING SCHEDULES
POLICY #AG-1-HR-5

PURPOSE:

Allow Division Administrators to establish employees work schedules (including variable workday, staggered shifts, or consideration of innovative workweeks) that will effectively meet the Department's workforce needs and utilize their personnel resources within the provisions of this policy and in compliance with federal and state statutes and regulations.

POLICY:

It is the policy of the Department of Agriculture to allow the use of alternative or variable workday schedules, when it is deemed necessary and possible, as a tool to improve efficiency, decrease costs and provide employees and management flexibility, provided the workweek does not exceed 40 hours.

SCOPE:

This policy and the procedures contained within shall apply to all Department employees.

REFERENCES:

Nevada Revised Statutes (NRS) 281.100, 281.110, 284.148 and 284.180, inclusive and Nevada Administrative Code (NAC) 284.0637, 284.0638, 284.067, 284.071, 284.072, 284.100, and 284.524.

FORM:

As currently provided by the Division of Human Resource Management (DHRM), the Department of Agriculture and Nevada Employee Action and Timekeeping System (NEATS).

RESPONSIBILITY:

1. Agency Human Resource Services (AHRS) shall be responsible for:
 - a. Providing assistance to supervisors and employees in the interpretation and explanation of this policy and related department policies, state statutes and regulations.
 - b. Processing employee work schedule agreements and records documents.
2. Supervisors/Division Administrators are responsible for:
 - a. Division Administrators will determine the appropriateness of an employee's request to work an innovative or alternate workweek schedule

and assure that implementation of that schedule is not detrimental to the interests of the Division or Department.

- b. Supervisors must ensure that an employee's alternative or innovative workweek does not negatively impact services or in any way compromise the ability of the individual or division to perform its work or create significant added costs. This includes, but is not limited to supervisory coverage, systems/administrative support, security, interaction with the public, contractors, other agencies, and other department employees.
- c. Supervisors/managers must ensure that employees who are approved and work an alternative workweek or variable workday schedule are properly working the hours of that assigned schedule and are accurately recording their time, including any overtime.

3. Employees are responsible for:

- a. Timely reporting, attendance, and adherence to assigned work schedule, to include prior supervisory approval, for any leave taken and overtime worked.

PROCEDURES:

1. The normal workweek for full-time employees of the Department of Agriculture is a "standard work schedule", unless otherwise approved as outlined in this policy. A standard work schedule is Monday through Friday, five consecutive work days of eight hours followed by two days off.
2. Offices or work units may wish to develop a plan to allow employees to work schedules alternative to the standard workweek. An employee may request an alternative work schedule.
3. Division Administrators have the responsibility to determine the hours of work for each employee, taking into consideration the operating needs and requirements of their Divisions, and ensuring that all federal and state statutes and regulations are being followed.
4. Each Division Administrator shall manage work schedules within the parameters of the general definitions and guidelines provided in this policy.
5. If an employee receives approval to change their work schedule, administrators must have the employee sign the required work schedule agreement as outlined in this policy and promptly notify AHRs and the Department payroll clerk of the change.
6. Part-time/Seasonal/Intermittent Employees: The workweek and schedule of work for part-time or seasonal employees working for the Department will be determined by the conditions of employment, but must also comply with all state statutes, regulations and policies specific to part-time, seasonal and intermittent

work. These employees will be on a variable workday schedule.

7. General Definitions:

- a. Non-Standard Workweek (NAC 284.072): The non-standard workweek means a work schedule of five shifts with the same number of hours each day and a maximum of 40 hours per week throughout the year. The work schedule is other than Monday through Friday.
- b. Innovative Workweek (NAC 284.067): The innovative workweek means a work schedule that differs from a standard or non-standard workweek.
- c. Variable Workday Schedule:
The employee and the Division Administrator (or designated representative) must have signed the form TS-78 prior to the employee being allowed to flex from their standard schedule or work more than eight hours in a day. The variable schedule must be worked within a 40-hour period beginning Monday and ending the following Sunday. Further, the original signed agreement must be immediately forwarded to AHRS so that the appropriate documents can be processed to make changes to the employee's work schedule code in the Central Records System.

An employee who has been approved for a variable workday schedule may use this schedule and flex his time worked within a 40-hour workweek with prior approval of the supervisor.

8. Attendance and Leave:

- a. Employees who are on an innovative workweek are required to use the appropriate number of leave hours for days missed (for example, 10 hours of sick leave for a 10 hour workday absence), unless as otherwise provided for in this policy.
- b. For any week, in which a holiday occurs, it is preferred that employees revert to a standard work schedule of working eight-hour days for the remainder of the week or take leave to make up the difference between their scheduled shift and the holiday.

9. Lunch and Rest Periods:

- a. All full time employees must take a minimum of one half hour (unpaid) as a lunch break as provided for in NAC 284.524. This applies regardless of the work schedule an employee is on.
- b. A rest period (break) of 15 minutes will be granted for each 4-hour period of work, taken insofar as practicable in the middle of the 4-hour work

period. Rest periods do not accumulate; if not taken, they are forfeited.

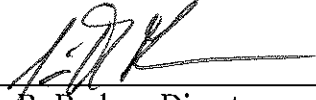
10. Approval Process:

- a. Alternative/Innovative Work Schedule – Employee Agreement: All requests for alternative work schedules must be submitted through the appropriate Division's chain-of-command for final approval by the Division Administrator.
- b. A Division Administrator may recommend approval of the employee's request, but all requests to work and innovative work schedule must also received final approval from the Director or his designated representative. The request for an innovative workweek may be denied if it is determined not to be in the best interest of the Department.
- c. An employee agreement is required for employees working an alternative or innovative work schedule (any set schedule that differs from a standard workweek). The Department of Agriculture form *Alternative Work Schedule – Employee Agreement*, contained within this policy, will specify the schedule to be worked, and will include the employee's signed acknowledgement to follow the provisions and requirements within as a condition of participation.
- d. While work schedules may be revoked at any time that they no longer serve the interests of the Division, employees should be given at least two weeks notice of the change in work schedule, whenever feasible.
- e. Employees requesting innovative work schedules exceeding 8 hours in a day must also sign a Variable Workday Agreement form TS-78, unless the employee's position is Fair Labor Standards Act (FLSA) exempt for overtime purposes. This agreement may be rescinded by either party giving 30 working days notice.
- f. **NOTE:** When an employee enters into either or both of the agreements provided in this policy, the original signed agreement(s) must be forwarded to AHRS so that the appropriate documents may be processed to ensure the employee's records reflect such agreement(s).

POLICY COMMUNICATION

This policy will be communicated to all employees and any employee needing clarification should contact AHRS or a DHRM representative for more information.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director

3/28/13

Date

APPROVED BY THE BOARD OF AGRICULTURE ON March 26, 2013.
Effective Date

This policy is not a substitute for relevant law or regulation nor does it establish additional rights beyond those provided in law and regulation. This policy is intended to be used in conjunction with the state law and the Rules for State Personnel Administration (NRS & NAC 284).

**STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
ALTERNATIVE WORK SCHEDULE – EMPLOYEE AGREEMENT**

I, _____, agree to adhere to the following provisions as a condition of participation in the alternative work schedule program:

1. Work hours will be from _____ to _____, _____ days a week.
2. I will work a standard work schedule of eight hours a day when it is deemed necessary to meet the needs of the agency.
3. I enter into this agreement in good faith that I will do my best to help the department realize the benefits outlined:
 - a. More efficient delivery of benefits
 - b. Better customer service
 - c. Better morale and motivation
4. I understand when I take a day of annual or sick leave, I am required to use the number of hours I am actually absent (i.e., regular work day is 10 hours, then 10 hours must be recorded).
5. I understand violations of this agreement may result in the loss of the alternative work schedule and may result in disciplinary action.
6. I understand this agreement may be revoked at any time if the schedule no longer serves the interests of the department.
7. I understand if my regular schedule requires me to work more than eight hours in a day, I must sign a variable work day agreement.

Employee Signature: _____ **Date:** _____

Supervisor Signature: _____ **Date:** _____

DISTRIBUTION: Original – Agency HR Services; Copy – Employee; Copy - Supervisor

NEVADA DEPARTMENT OF AGRICULTURE
OVERTIME - APPROVAL/RECORDING
POLICY #AG-1-HR-6

PURPOSE:

This policy establishes procedures and provides guidelines to Department of Agriculture employees regarding authorization and compensation for overtime worked.

POLICY:

It is the policy of the Department of Agriculture to ensure employees and supervisors clearly understand their responsibilities in the submittal and approval of requests to work overtime or compensatory time, to include the accurate and timely recording of both the employee request and Director level approval in the Nevada Employee Action and Timekeeping System (NEATS) employee timekeeping system.

Overtime, whether for cash or compensatory time, is a fiscal liability impacting the agency's budget. It is the Department's policy to limit employee overtime to a minimum in order to handle emergency situations, unscheduled or unplanned emergent issues, or to meet critical deadlines. Further, it is imperative that supervisors monitor employee's compensatory time balances in an effort to reduce fiscal liability to the State.

SCOPE:

This policy and the procedures contained within shall apply to all non-exempt department employees.

REFERENCES:

Nevada Revised Statutes (NRS) 281.110, 284.180, 284.181; and Nevada Administrative Code (NAC) 284.242 through 284.258, 284.524, and 284.5255; Department Policy AG-1-HR-5; Executive Order by the Governor dated March 15, 2010; and Fair Labor Standards Act (FLSA).

FORM:

As currently provided by Division of Human Resource Management (DHRM), the Department of Agriculture and NEATS.

RESPONSIBILITY:

1. Agency Human Resource Services (AHRS) shall be responsible for:
 - a. Providing assistance to supervisors and employees in the interpretation and explanation of this policy, other referenced policies, and related federal and state statutes and regulations.

2. Employees are responsible for:
 - a. Adherence to this policy and the requirements set forth within.
3. Supervisors are responsible for:
 - a. Ensuring appropriate documentation of overtime events and prior Director level approvals.
 - b. Acting to reduce overtime liability to the department in compliance with guidelines of this policy.
4. Division Administrators are responsible for:
 - a. Ensuring that their division complies with this policy.
 - b. Reporting any anticipated overtime events to the Director or his designated representative.
 - c. Ensuring that no exceptions are granted to this policy, unless written approval is granted by the Director.

DEFINITIONS:

1. **Overtime** is time earned after 8 hours work in a day unless the employee has entered into a variable work day agreement – in which case overtime is earned only after working 40 hours in a week.
2. **Compensatory time**, also known as “Comp time”, is earned (at time and one-half) in lieu of cash payment of overtime.
3. **Emergent issue** is an event involving imminent danger to life or property.
4. **Emergency** is an event involving imminent danger to life or property.
5. **Flex time/Flex-off** is when an employee adjusts his/her work schedule so that he/she does not exceed 40 hours in the workweek. Example: An employee who works 2 extra hours on Monday and Tuesday will ‘flex-off’ those 4 extra hours that same week – by only working a 4-hour day on Wednesday.

PROCEDURES:

Complying With Governor’s Executive Order:

Per the March 15, 2010 Executive Order by the Governor, which states in part: “The Policy on overtime pay is as follows, regardless of the type of schedule implemented...whether for pay or compensation time, overtime shall not be worked without prior written approval from a director. Recognizing that there are special circumstances when it is not practicable to obtain a director’s prior review and written approval, directors may delegate the approval process in certain circumstances, including but not limited to:

- a. 24/7 facilities/operations where it may be necessary to work overtime to maintain safety, adequate staffing ratios or provide coverage in emergency situations;
- b. Situations where it is in the best interest of the State as determined by the director; and
- c. Work necessary to protect life, safety and well being of Nevada citizens and visitors.”

Delegation of Overtime Approval:

In keeping with the above stated directive within the executive order, only the Director or his designated representative shall approve all overtime or compensatory time requests for the Department of Agriculture.

Overtime Documentation For Authorization:

1. Overtime must not be worked without prior approval by the director or his designated representative, as outlined above. An individual employee who is requesting overtime must complete the request in NEATS indicating whether it will be for comp time or paid overtime and the request must first be reviewed by the supervisor.
 - a. The overtime request must have proper justification with precise descriptions as it relates to a deadline, topic, or incident – not vague explanations like “workload” or “meeting”.
2. If the supervisor determines the request is justified, the request is forwarded in NEATS to the Director or his designated representative for final approval.
3. When the supervisor or division administrator determines overtime will need to be assigned to a work unit or individual employees for an upcoming emergent issue or to meet critical deadlines, that overtime request shall be submitted to the Director or his designated representative, through NEATS, and will include written justification for each work unit and individual to be assigned overtime. This justification shall include the number of hours anticipated and clear explanation of why it is needed.
4. If the overtime is determined necessary, the Director or his designated representative will approve the overtime request in NEATS.
5. Employees must be given at least 4 hours advanced notice of the approval except when emergency circumstances require overtime.

6. Each Division Administrator incurring overtime in his/her division must submit, on a monthly basis, a report which includes: the division name, budget account number, employee name(s), total overtime for pay and reason, and total overtime for comp time and reason. This monthly report must be signed by the Administrator and submitted to the Director.

Overtime in Case of an Emergency:

Only in an emergency will an employee be allowed to work overtime without prior approval (see definition of emergency). The employee must notify the supervisor as soon as possible following the emergency and complete the appropriate overtime approval request in NEATS. All other overtime must be requested in NEATS, in advance, and approved by the Director or his designated representative.

Recording Overtime in NEATS:

1. Employees who record overtime on their timesheet, in NEATS, must:
 - a. Record the beginning and end time for the overtime hours worked and a brief explanation of the overtime, ensuring the accurate code, reason and hours worked matches the explanation on the overtime authorization request.

For example, if claiming 4 hours overtime for comp time, the "Note" section for that particular day should note: the time of day that overtime was earned, such as 5pm to 9pm, clear explanation of work performed; and the time should be coded ACT (accrued comp time).

2. Supervisors shall ensure that the overtime recorded by the employee matches the overtime authorized in NEATS before approving an employee's timesheet where overtime or compensatory time is claimed.
3. If an employee has claimed more overtime than what was originally approved, when that overtime is more than 10% of the amount approved, the employee's timesheet must be sent to the Director or his designated representative for review and approval.

Flex-time:

Flex time may be used as a tool to meet the periodic needs of both the employees and the department. It is the policy of the Department of Agriculture to utilize flex time in lieu of overtime whenever possible to minimize the need for overtime. In order for an employee to flex their time, they must be on a variable workday agreement.

Variable Workday Agreement:

The Variable Workday Agreement is encouraged in order to utilize non-standard, innovative, or flexible/variable work schedules to ensure that the work gets done with the least amount of overtime. This signed agreement between the employee and the department (AHRM form TS-78) is voluntary. It allows the employer and employee to establish a schedule which will more efficiently accommodate the workload within a 40 hour week, while allowing greater flexibility within an employee's work week.

1. For employees approved for a variable workday, hours worked in excess of 40 in a workweek must be flexed against any annual, sick, compensatory or other type of leave taken within the same workweek **before** overtime is recorded and submitted to the supervisor for approval.
 - a. A timesheet should not reflect two hours of annual or sick leave or comp time taken **and** two hours of overtime earned in the same week. These two events should cancel each other out and the employee should note on the timesheet "notes" as flex earned and used.
 - b. This applies whether or not the overtime was pre-approved.

Election of Compensatory Time Agreement:

If the division/department is not in a position financially to support paid overtime, supervisors may authorize compensatory time only. The use of Accrued Compensatory Time (ACT) is an authorized method of payment for overtime work when the employee has agreed, in writing, to utilize that form of compensation. Employees who choose or agree to the option of compensatory time off complete the Election of Compensatory Time form (DHRM form TS-25). With agreements in place, the employer has the choice, within budgetary limitations, to select either cash payment or accrual of compensatory time off each time overtime is required.

Use of Compensatory Time:

Compensatory time must be used within a reasonable time after it is accrued. Department employees will use compensatory time off, as practicable, during the year in which it was earned. An employee must, to the extent possible, exhaust his compensatory time before he uses his available annual leave, unless it would cause an employee to forfeit an amount of annual leave at the end of the calendar year. Additional information regarding the use of compensatory time is located in the Department's Attendance and Leave Policy #AG-1-HR-1.

POLICY COMMUNICATION

This policy will be communicated to all employees and any employee needing clarification should contact AHRS or a Division of Human Resource Management representative for more information.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director

3/28/13

Date

APPROVED BY THE BOARD OF AGRICULTURE ON March 26, 2013.
Effective Date

This policy is not a substitute for relevant law or regulation nor does it establish additional rights beyond those provided in law and regulation. This policy is intended to be used in conjunction with the state law and the Rules for State Personnel Administration (NRS & NAC 284).

NEVADA DEPARTMENT OF AGRICULTURE
OUTSIDE EMPLOYMENT AUTHORIZATION
POLICY #AG-1-HR-7

PURPOSE:

To establish a policy identifying the restrictions precluding employees from any outside employment activities determined to be in conflict with employment with the department or the state.

POLICY:

It is the policy of the Department of Agriculture to prohibit employees from engaging in any outside employment that will be in conflict with the duties of their position, or with the duties, functions or responsibilities of the Department of Agriculture or the State of Nevada.

SCOPE:

This policy and the procedures contained within shall apply to all employees in the Department.

REFERENCES:

Nevada Revised Statutes (NRS) 284.143, Nevada Administrative Code (NAC) 284.738, inclusive, and State Administrative Manual (SAM) 323.

FORM:

As currently provided by the Department of Agriculture.

RESPONSIBILITY:

1. Agency Human Resource Services (AHRS) shall be responsible for:
 - a. Providing assistance to supervisors and employees in the interpretation and explanation of this policy and NAC, NRS, and SAM.
 - b. Providing a copy of this policy to new employees and advising them of the content and intent.
2. Each Division Administrator and Supervisor shall be responsible for:
 - a. Monitoring employees' compliance to NAC, NRS, SAM, and this policy.
 - b. Reviewing employee requests for outside employment to determine if such employment will be in conflict.

3. Employees are responsible for:
 - a. Complying with the provisions outlined in NAC, NRS, SAM, and this policy.


PROCEDURES:

1. All employees shall be advised by their supervisor (during current employment) about restrictions involved in employment outside and in addition to their employment with the department.
2. Department of Agriculture equipment, phones, office space, supplies or facilities shall not be used for any outside employment purposes.
3. Employees shall, prior to accepting outside employment, notify their supervisor of their intent to do so, and shall provide, in writing, a Secondary Employment Disclosure form for Division Administrator's approval (located on the State of Nevada Department of Administration Purchasing Division website and attached to this policy).
4. The supervisor shall review the request for outside employment and if it appears to be in conflict with public, state or department interests, the supervisor will notify the Division Administrator.
 - a. When unsure if there is a conflict, the Division Administrator shall consult with the Director for a final determination.
5. The Department will review an employee's other employment and will consult with the employee when, and if it interferes with the employee's assigned duties. This includes outside positions that may conflict with a demand for weekend or night-time assignments or overtime required in the employee's department position.
6. Failure to adhere to the requirements outlined in this policy may result in disciplinary action. Disciplinary actions administered for violations of conflict of interest shall be in accordance with the Rules for State Personnel Administration, Disciplinary Procedures Section and/or the Department's Prohibitions and Penalties.

POLICY COMMUNICATION:

All new employees of the Department of Agriculture will receive a copy of this policy and will sign an acknowledgement that they have read and understand the conditions within. Employees needing clarification should contact Agency HR Services, their supervisor, or their Division Administrator for more information.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director

3/28/13

Date

APPROVED BY THE BOARD OF AGRICULTURE ON March 26, 2013.
Effective Date

This policy is not a substitute for relevant law or regulation nor does it establish additional rights beyond those provided in law and regulation. This policy is intended to be used in conjunction with the state law and the Rules for State Personnel Administration (NRS & NAC 284).

Secondary Employment Disclosure

Employee Name: _____

Employee ID number: _____

Name of Secondary Employer: _____

(If self employed, enter the business name) _____

Address of Secondary Employer/Self

Employment: _____

Secondary Employer Phone Number: _____

Describe the nature of the work performed by the secondary employer or self employment business.	
Might this activity require or induce you to disclose controlled information obtained as part of your job or impair your independence or ethics?	
List the specific duties, functions, and activities that you personally will perform for the secondary employer or in the self-employment business.	
Document your work schedule with the secondary/self employment; how many and what hours weekly; what your State work schedule is; how many and what hours you will work weekly. Will this conflict with your State work hours?	
If applicable, list provider agreements, brief scope of services, and associated State agencies.	

Comments:

Employee statement

_____ I certify that my outside employment does not present a conflict with my State employment. The employment may not be construed as an extension of my duties or responsibilities with the State. I will devote my full time, attention and effort to State employment during official duty hours and not to contractual obligations. If a potential conflict arises, I will notify my supervisor and agency head, within three business days. I agree to submit a new application for approval by July 1 of each year, or within 30 days of a change in outside employment status.

Employee's agency head shall check one of the following statements:

_____ I have reviewed the information provided on this form and determined that this secondary employment **DOES NOT** present a real or potential conflict of interest to the State of Nevada.

_____ I have reviewed the information provided on this form and determined that this secondary employment **DOES** present a real or potential conflict of interest to the State of Nevada.

Employee's Signature and Date

Agency Head's Signature and Date

NEVADA DEPARTMENT OF AGRICULTURE
WORK PERFORMANCE STANDARDS
POLICY #AG-1-HR-8

PURPOSE:

This policy establishes procedures for the initial development, ongoing review, and updating of Work Performance Standards for each classified position in the department.

POLICY:

It shall be the policy of the Department of Agriculture to develop and maintain accurate Work Performance Standards for each employee's position pursuant to Nevada Revised Statutes (NRS) 284.335. These standards will accurately reflect the job elements and performance standard expected in each position and will be used to evaluate each employee's work performance and personal development.

SCOPE:

This policy and the procedures contained within shall apply to all classified positions in the Department.

REFERENCES:

Nevada Revised Statutes (NRS) 284.335 and Nevada Administrative Code (NAC) 284.468 and State Administrative Manual (SAM) 1702.

FORM:

As currently provided by the Division of Human Resource Management (DHRM).

RESPONSIBILITY:

1. Agency Human Resource Services (AHRS) shall be responsible for:
 - a. Providing assistance to supervisors and employees in the interpretation and explanation of this policy and NAC 284.468.
 - b. Maintaining the most recent Work Performance Standards in the employee's personnel file.
2. Each Division Administrator shall be responsible for:
 - a. Ensuring accurate Work Performance Standards are completed for each classified position within their respective Division; and
 - b. Ensuring all supervisors in their Division have completed the mandatory state training in the development of work performance standards and employee appraisal. This training must be completed prior to the supervisor developing work performance standards on any position.

3. Each Supervisor (including Division Administrators) shall be responsible for:
 - a. Attending the mandatory state supervisory training for Development of Work Performance Standards, prior to developing Work Performance Standards;
 - b. Development, ongoing review, and revision of Work Performance Standards that accurately reflect the job elements and performance standard expected of all classified positions under their direct supervision;
 - c. Initially reviewing work performance standards with each new employee to ensure the employee understands what is required to achieve satisfactory performance.
4. Employees are responsible for:
 - a. Reviewing their tasks and, when necessary, contributing to the updating and revision of their Work Performance Standards with their supervisors;
 - b. Advising their supervisors of changes in duties or responsibilities when they occur due to changing technology or processes.
5. All Work Performance Standards shall be approved by the Appointing Authority prior to implementation.

PROCEDURES:

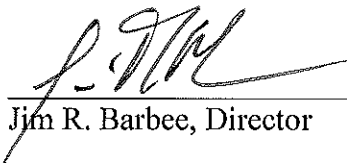
1. **New, probationary and trial employees:** Work Performance Standards (Form NPD-14) will be established within 30 days of the employee reporting for their new assignment. Supervisors are encouraged to make candidates aware of the Work Performance Standards as part of the hiring interview.
2. **Permanent status employees:** Work Performance Standards (Form NPD-14) for each position shall be reviewed with each employee annually by supervisors. Any significant changes in assignments or standards require development and submittal of new Work Performance Standards.
 - a. Employees and supervisors will mutually participate in the revision of existing standards, when needed. The supervisor has the primary responsibility and authority for establishing Work Performance Standards for positions they supervise.
 - b. All revisions or modifications of Work Performance Standards shall be approved by the Appointing Authority prior to implementation.
 - c. Completed Work Performance Standards must be signed by the employee, the employee's direct supervisor, the Division Administrator and the Director, to confirm acknowledgement, acceptance and understanding.
 - d. Completed Work Performance Standards (with all required signatures)

will be forwarded to AHRS for the employee's file.

- e. Distribution is as follows:
 - i. Original to AHRS
 - ii. One copy to employee
 - iii. One copy to supervisor

Use of Work Performance Standards in the Classification of Positions: Work Performance Standards will be used as a reference guide for classification review of a position and, therefore, it is important that the employee's Work Performance Standards accurately reflect the most current duties and responsibilities assigned and the date the Work Performance Standards were revised to change those duties. The employee's personnel file must contain a copy of the employee's original Work Performance Standards to be used for comparison purposes in the case of significant change; as a reference guide in completion of a Specificity of Charges (NPD-41) or the Employee Appraisal and Development (NPD-15); and may be used as evidence in a personnel hearing.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director

3/29/13

Date

APPROVED BY THE BOARD OF AGRICULTURE ON March 26, 2013.
Effective Date

This policy is not a substitute for relevant law or regulation nor does it establish additional rights beyond those provided in law and regulation. This policy is intended to be used in conjunction with the state law and the Rules for State Personnel Administration (NRS & NAC 284).

NEVADA DEPARTMENT OF AGRICULTURE
EMPLOYEE APPRAISAL AND DEVELOPMENT
POLICY #AG-1-HR-9

PURPOSE:

This policy establishes procedures to help ensure an objective and timely review and evaluation of performance and development is completed for each classified employee.

POLICY:

It shall be the policy of the Department of Agriculture that all supervisors of classified employees will complete performance appraisals on each of those employee at the times specified in Nevada Revised Statutes (NRS) 284.340 and in the manner specified in Nevada Administrative Code (NAC) 284.470.

SCOPE:

This policy and the procedures contained within shall apply to all classified positions in the Department, and their supervisors and administrators.

REFERENCES:

Nevada Revised Statutes (NRS) 284.335, 284.337 and 284.340 and Nevada Administrative Code (NAC) 284.470, 284.474 and 284.478.

FORM:

As currently provided by the Division of Human Resource Management (DHRM).

RESPONSIBILITY:

1. Agency Human Resource Services (AHRs) shall be responsible for:
 - a. Providing assistance to supervisors and employees in the interpretation and explanation of this policy and NAC 284.470, 284.474, and 284.478.
 - b. Providing a monthly report to all supervisors on the status of employee evaluations due and/or work performance standards requiring development.
 - c. Receipt of all completed Employee Appraisal and Development forms (NPD-15) and review for accuracy as to format, timelines and required signatures.
 - d. Recording, filing and distribution of finalized evaluations.
2. Each Division Administrator shall be responsible for:
 - a. Ensuring all employee evaluations (Employee Appraisal and Development, Form NPD-15), are completed on all classified employees

- within their respective Division; and
- b. Ensuring all supervisors in their Division complete the required state training in the development of work performance standards and employee appraisal. This training must be completed prior to the supervisor completing employee appraisals on any position.
3. Each supervisor (including Division Administrators) shall be responsible for:
 - a. Attending the required state supervisory training in Developing Work Performance Standards and Employee Appraisal prior to completing employee appraisals.
 - b. Completion and of employee evaluations (Employee Appraisal and Development, Form NPD-15) for each employee under his or her supervision, meeting timelines prescribed in NRS 284.340 and procedures outlined in this policy.
 4. Employees are responsible for:
 - a. If employee is in agreement with the supervisor's evaluation, completing the appropriate section on the performance evaluation, indicating agreement, signing and dating the evaluation, and returning the signed evaluation to the supervisor for further processing.
 - b. If employee is in disagreement with the evaluation, they should follow the procedures outlined in this policy and NAC 284.470, 284.477 and 284.478.

PROCEDURES:

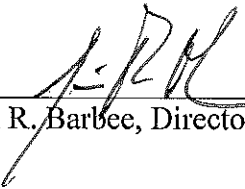
1. The Employee Appraisal and Development must be completed and filed at the times prescribed by NRS 284.340, which are also designated on the DHRM form (NPD-15):
 - a. During an employee's probationary period, a report must be filed at the end of the 3rd, 7th and 11th months of employment if the probationary period is 12 months; or the 2nd and 5th month if the probationary period is 6 months.
 - b. Once an employee reaches permanent status, a report must be filed at the end of the 12th month next following the attainment of permanent status, and every 12th month thereafter.
 - c. If a report on performance is not filed on or before the times specified in a. or b. above, the performance of the employee shall be deemed standard.
 - d. A report on performance may be filed more frequently than the statutory timelines at the discretion of the supervisor.

2. Supervisors are required to refer to and utilize the employee's work performance standards in evaluating and rating the employee to ensure an accurate, complete and objective appraisal of the employee's performance and development.
3. The preparation of each performance evaluation must include a discussion between the employee and his or her supervisor.
4. Within 10 working days after that discussion and receipt of the evaluation, the employee must complete and sign the appropriate section on the performance report and return the report to the supervisor for forwarding to the reviewing officer or appointing authority.
5. If an employee is unavailable at the time his or her performance report is due, because of an extended absence, the guidelines discussed in NAC 284.470, subsection 8, must be followed.
6. If the employee contests the employee appraisal and requests a review, he or she must respond to the report in writing, identify the specific points of contention and return the response to the supervisor, who will then forward that response to the reviewing officer.
 - a. The reviewing officer shall respond in writing on the DHRM prescribed form, NPD-15 Employee Appraisal & Development, within 10 working days of the date the supervisor received the request for review.
 - b. If the reviewing officer is not the Director, the reviewing officer must submit to the Director a recommendation to uphold or modify the report on performance.
 - c. The Director shall review the recommendation and render a final decision to the employee within 10 working days after receiving the recommendation.
7. If a reviewing officer fails to respond to a request for review from an employee within the timelines outlined in Section 6, the employee may institute the procedure for the adjustment of a grievance pursuant to NAC 284.658 to 284.6957, inclusive.
8. Upon completion of the review process conducted pursuant to NAC 284.470, a permanent employee may appeal a contested report on performance through the procedure for the adjustment of a grievance pursuant to NAC 284.658 to 284.6957, inclusive.
9. When an employee's performance falls below standard, the supervisor must inform the employee promptly and document the specific deficiencies in the

performance, regardless of whether a performance report is completed or filed.

10. When a report on performance is given which reports the overall rating of performance as below standard:
 - a. The report must contain a written notice that such report affects both merit pay increases and eligibility for longevity pay; and
 - b. A follow-up report on performance must be filed at least once every 90 days after the below standard rating until the performance improves to standard or disciplinary action is taken against the employee.
11. A copy of each performance report and, if applicable, any written response to such a report requested by an employee pursuant to NAC 284.470, subsection 7 or 8 must be provided to the employee. The original is sent to AHRS where it is reviewed for accuracy in format and content.
 - a. If the performance report is not in compliance, it will be returned to the department with notes indicating what needs to be corrected.
 - b. If the performance report meets requirements, it is recorded in the AHRS database and distributed per AHRM requirements.
12. If any written comments are added to the report on performance after a copy of the report was provided to the employee, as outlined in Section 11 above:
 - a. A copy of the revised report which includes the written comments must be provided to the employee; and
 - b. The employee may respond, in writing, to the additional comments in the revised report not later than 10 working days after receiving the copy and submit the response to DHRM through AHRS for inclusion in his or her file located in Central Records.
13. Employees or supervisors who need assistance or clarification on this policy should contact AHRS or a DHRM representative.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director

3/28/13

Date

APPROVED BY THE BOARD OF AGRICULTURE ON March 26, 2013.
Effective Date

This policy is not a substitute for relevant law or regulation nor does it establish additional rights beyond those provided in law and regulation. This policy is intended to be used in conjunction with the state law and the Rules for State Personnel Administration (NRS & NAC284).

NEVADA DEPARTMENT OF AGRICULTURE
WORKPLACE VIOLENCE PREVENTION
POLICY #AG-1-HR-10

PURPOSE:

To establish procedures and controls for managing threats of workplace violence, harassment, intimidation and other aggressive or disruptive behavior initiated towards any employee of the Nevada Department of Agriculture.

POLICY:

It is the policy of the Department of Agriculture that violence, threats of violence, harassment, intimidation and other acts of aggression or disruptive behavior will not be tolerated and appropriate measures will be taken to ensure the safety of employees. Any threat of violence made by an employee of this department will be addressed in a swift and effective manner, and may include disciplinary action up to and including termination. This policy extends to all situations that reasonable persons would consider threatening while on duty or acting in an official capacity on or off their official work site. This policy supplements the State of Nevada Division of Risk Management Workplace Violence Prevention Policy.

SCOPE:

This policy and the procedures contained within shall apply to all employees in the Department.

REFERENCES:

Nevada Revised Statutes (NRS) 199.300; and Nevada Administrative Code (NAC) 284.589, 284.650 and 284.656; the State of Nevada Division of Risk Management Workplace Violence Prevention Policy guidelines; and the Department's Prohibitions and Penalties.

REFERENCES:

As currently provided by the Division of Risk Management.

RESPONSIBILITY:

1. The Employee shall be responsible for:
 - a. Immediately reporting any threat or act of violence to the immediate supervisor or the most accessible supervisor available.
 - b. Following the guidelines and procedures outlined in this policy.

2. Each Supervisor shall be responsible for:
 - a. Immediately responding to the complaint or incident and taking necessary action as outlined in this policy.
 - b. Notifying the Division Administrator immediately in the case of a “direct and imminent threat of violence”, or as soon as possible when the threat or complaint does not impose immediate danger.
3. Division Administrators shall be responsible for:
 - a. Determining immediate course of action to take based on the guidelines and procedures outlined in this policy.
 - b. Immediately notifying the Director or his designated representative if a crisis situation arises where there is a “direct and imminent threat of violence”.
4. The Director or Designated Representative shall be responsible for:
 - a. If a crisis situation arises, implementing the immediate intervention steps and assembling a threat assessment team to determine the best course of action.
5. Agency Human Resource Services (AHRS) shall be responsible for:
 - a. Providing assistance to supervisors and employees in the interpretation and application of this policy and related policies and regulations.
 - b. Assisting management in determining disciplinary and/or criminal action to be taken when threat is from an internal source (department employee).

PROCEDURES:

Reporting Workplace Violence Threats or Acts:

1. Anytime an employee is placed in a position of fear due to an act of aggression or threat of violence, he or she should try to remain calm, attempt to remove themselves from direct contact with the individual, seek shelter in a secured area not accessible to that individual, and take every reasonable step to avoid a physical altercation.
2. Employees must immediately report all incidents or acts to their immediate supervisor or the most accessible supervisory representative available.
3. If the threat to the employee is immediate and may result in serious injury, local law enforcement should be contacted immediately.
4. Employees who are experiencing threats of violence from a domestic partner or other non-work related relationship that may carry over to the workplace are encouraged to report this to their supervisor or division administrator, so a plan of action can be put in place to minimize the risk to the employee and others during working hours.

Acting On Direct or Indirect Threats from the Public or a Department Employee:

Any individual who commits acts of workplace violence, as described herein, will be subject to disciplinary action (if a state employee), and may be removed from the premises, and/or subject to criminal actions by the Attorney General (NRS 199.300, NRS 203.119 and NRS 200.571 – 200.575).

1. When acting on a ‘direct and imminent threat of violence’ to employees or others in the workplace, Department of Agriculture management should utilize the “Immediate Intervention” options and guidelines outlined in the State of Nevada’s Workplace Violence Prevention Policy (WPVP). Actions required may vary depending upon the specific circumstances involved, but in all cases, immediate action should include contacting law enforcement and consideration of the immediate safety of affected employees, followed by quick assembly of a Threat Assessment Team (TAT) and thorough documentation of the incident.
2. When the threat does not pose an immediate danger or an employee is exhibiting inappropriate or unsafe behavior resulting in other employees expressing concern for their safety or indicating they feel they are working in a hostile environment, the Division Administrator shall contact AHRS and when appropriate, the Attorney General’s Office, to determine the best course of action.

Incident Investigation When Threat Is Internal:

1. The supervisor will thoroughly investigate the complaint or incident when it is reported. Each event must be documented and include witness statements.
2. The supervisor shall report the incident to their manager or division administrator and provide a copy of the incident report to the Division Administrator.
3. The Division Administrator, working with AHRS, will determine whether the severity of the incident should be referred to the Attorney General’s Investigations Division to initiate a criminal investigation and/or disciplinary course of action that should be taken (when the threat is from an employee).
4. The Director or his designated representative must be immediately notified in the event a serious incident has occurred and/or if it is determined that immediate disciplinary action is required.

TRAINING:

1. Each Division Administrator shall ensure that all supervisory personnel attend training regarding the management of workplace violence.
2. All employees, regardless of their level of risk, must be provided initial and

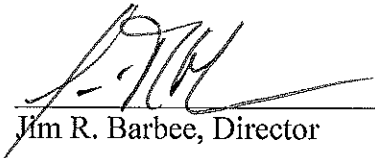
periodic refresher training in the recognition of workplace violence, the appropriate response to incidents of aggression or violence, the department's specific policy and procedures, and the proper use of security hardware if appropriate.

3. Employees with job tasks or locations that place them at a higher risk for violent incidents should be provided specialized training in the prevention of workplace violence.

POLICY COMMUNICATION:

All new employees of the Department of Agriculture will receive a copy of this policy and will sign an acknowledgement that they have read and understand the conditions within. Supervisors will ensure all currently assigned employees are aware of the requirements of this policy. Employees needing clarification should contact AHRS, their supervisor, or their Division Administrator for more information.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director

3/28/13

Date

APPROVED BY THE BOARD OF AGRICULTURE ON March 26, 2013.
Effective Date

This policy is not a substitute for relevant law or regulation nor does it establish additional rights beyond those provided in law and regulation. This policy is intended to be used in conjunction with the state law and the Rules for State Personnel Administration (NRS & NAC 284).

NEVADA DEPARTMENT OF AGRICULTURE
OPERATING A VEHICLE ON STATE BUSINESS
POLICY #AG-1-HR-12

PURPOSE:

This policy sets guidelines and identifies responsibilities to ensure understanding of employee requirements for operating a vehicle while on State business.

POLICY:

It is the policy of the Department of Agriculture to ensure all employees operate vehicles, while on State business, within the requirements of the law and that proper and appropriate action is taken when an employee violates the law or no longer has a valid driver's license when it is required as an essential function of his or her position.

SCOPE:

This policy shall apply to all employees in the Department.

REFERENCES:

Nevada Administrative Code (NAC) 284.646, 284.650 and 284.653; the Department's Prohibitions and Penalties; and State Administrative Manual (SAM) Section 1702.

FORM:

As currently provided by the Department of Agriculture.

RESPONSIBILITY:

1. The Employee shall be responsible for:
 - a. Compliance with the provisions of this policy and state laws and regulations.
2. All Division Administrators and Supervisor shall be responsible for:
 - a. Insuring all employees under their supervision are aware of this policy and understand the purpose and importance of compliance.
 - b. Enforcing the provisions of this policy.
 - c. Initiating the appropriate disciplinary action against any employee under their jurisdiction who violates the requirements of this policy.
3. Division Administrators shall also be responsible for:
 - a. Notifying the Director or his designated representative in the event a serious incident has occurred and/or if immediate disciplinary action is required.

4. Agency Human Resource Services (AHRS) shall be responsible for:
 - a. Providing assistance to supervisors and employees in the interpretation and explanation of this policy.
 - b. Assisting management in determining how to correctly proceed when disciplinary action is required.

PROCEDURES:

Driver's License Requirement:

1. All new employees with the Department of Agriculture shall be required to complete a Driving Record Card. If the employee does not have a driver's license, i.e., suspended, revoked, etc.; or, has never been issued a license, that information must be clearly stated on the form.
2. Every employee hired in a position where driving is an essential function of the job must possess a valid Nevada driver's license as a condition of his or her employment. That employee must be able to present that license at any time throughout his or her employment with the department. Failure to do so may result in disciplinary action.
3. If an employee's duties require the employee to possess an additional license or endorsement, such as a Commercial Driver's License (CDL), Class A or B, or a hazardous endorsement, that employee must possess that license and or endorsement according to the conditions and requirements of his position. Thereafter, the employee shall be subject to show possession of that license at any time during the employee's tenure in a position requiring that license or endorsement. Failure to do so may result in disciplinary action.
 - a. Depending upon the minimum requirements of the employee's position classification, the employee may be allowed an additional stated period of time to obtain the required license or endorsement. Once the required license or endorsement is obtained there shall be no period of time where the license or endorsement is not current.
 - b. Any supervisory personnel assigning an employee the operation of a vehicle for which they are not certified will be subject to disciplinary action.

Drug and Alcohol Testing for State Employee Involved in Accident:

1. NAC 284.888 (3) (a) allows the State of Nevada to administer drug and alcohol screening for any state employee who is involved in a motor vehicle accident that causes more than \$500 in property damage while on State business; or (b) for any

state employee who operates a motor vehicle in such a manner as to cause two property accidents within a 1 year period.

2. If any state employee has a motor vehicle accident while driving an agency vehicle or motor pool vehicle and that employee seeks medical attention for injuries sustained as a result of said accident, the employee must take the Drug and Alcohol Test (DAT) form located in the glove compartment of that vehicle into the first stop/urgent care where the employee seeks medical attention. Refusal of the drug and alcohol testing when seeking medical attention may be grounds for disciplinary action.

Loss/Revocation or Suspension of License:

1. Every Department of Agriculture employee shall update their Driving Record Card if their license status changes.
2. Department employees who have as part of their essential functions of their job the requirement to drive or operate a state vehicle must notify their immediate supervisor as soon as possible, but no later than five (5) working days after gaining knowledge of the revocation, suspension or expiration of their driver's license.
 - a. Failure to report such information and failure to immediately cease driving or operating a state vehicle, or a privately owned vehicle on state business, will result in immediate termination.
 - b. The department is not obligated nor will it provide substitute work, alternate forms of transportation or employees to chauffeur those who are required to operate vehicles and who cannot, due to loss of license.

Granting Employee Leave To Obtain License:

1. An employee who is required to possess a driver's license to perform the essential functions of his position and who cannot fulfill such requirement due to temporary loss of license may be granted up to forty-five (45) calendar days to obtain the required driver's license, unless the employee is otherwise subject to disciplinary action set forth in 284.653, subsection 2.
 - a. Use of accumulated annual and compensatory time will be used to cover leave during this period. If, upon depletion of paid leave, the employee is still unable to obtain the required driver's license, the Director or his designated representative determines it is in the department's best interest to grant such leave and the granting of such leave will not inconvenience the department in any way and is only granted for the employee's first loss of his driver's license, the employee may be granted leave without pay for the remaining time – within the forty-five (45) day period.

- b. If the employee has entered into a certified drug and alcohol rehabilitation program and is otherwise eligible for coverage under the Family and Medical Leave Act (FMLA), then FMLA sick leave may be utilized during the treatment period and while under the direct supervision of a physician (i.e., inpatient status or doctor's visits).

Termination For Failure to Meet Conditions of Employment:

- 1. An employee who has driving as an essential function of his position, who has lost his license to drive and who has used all his compensatory time and annual leave and who does not have approved leave without pay to cover the remaining period or has not been placed in a non-driving position will be terminated for failure to meet conditions of employment.


Pre-Employment Testing For Drugs and Alcohol:

- 1. Pre-employment drug and alcohol testing is mandatory for all positions requiring a Commercial Driver's License.
 - a. An applicant who fails the test may not be hired.
- 2. Post accident testing for drugs and alcohol.
 - a. Post accident drug and alcohol testing is mandatory for all positions requiring a CDL.

POLICY COMMUNICATION:

All employees of the Department of Agriculture will receive a copy of this policy and will sign an acknowledgement that they have read and understand the conditions within. Employees needing clarification should contact AHRS, their supervisor, or their Division Administrator for more information.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director

3/28/13
Date

APPROVED BY THE BOARD OF AGRICULTURE ON March 26, 2013.
Effective Date

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**STATE OF NEVADA
DEPARTMENT OF AGRICULTURE**

DRIVING RECORD CARD

1. Employee Name: _____
2. Hire Date: _____
3. Office Location: _____
4. Agency Division: _____
5. Current Driver's License Number: _____
6. Operator's license or registration ever revoked? _____ Yes _____ No
7. Any motor vehicle accidents in the last 3 years? _____ Yes _____ No
8. Any restrictions on your driver's license? _____ Yes _____ No
9. Any mental or physical disability likely to affect driving? _____ Yes _____ No
10. Give details on any "Yes" answers in Questions 6 through 9.

I certify that all information above is correct. I understand that any false information furnished by me can result in suspension of my Department equipment driving privileges and/or disciplinary action.

I have received a copy of the "Operating a Vehicle on State Business Policy".

Employee Signature

Date

NEVADA DEPARTMENT OF AGRICULTURE
ETHICAL BEHAVIOR
POLICY #AG-1-HR-13

PURPOSE:

This policy is intended to provide guidance to Department of Agriculture officials and employees in order to establish ethical boundaries for their actions in the conduct of Department business.

POLICY:

It is the policy of the Department of Agriculture that all employees maintain high standards of honesty, integrity, impartiality, and conduct to ensure the proper performance of department business and maintain the public's confidence.

SCOPE:

This policy shall apply to all employees in the Department.

REFERENCES:

Nevada Revised Statutes (NRS) 281 A, Ethics in Government, Nevada Administrative Code (NAC) 284.746 through 284.770, the Governor's Executive Order 2011-02, and the Department's Prohibitions and Penalties.

RESPONSIBILITY:

1. The Employee shall be responsible for:
 - a. Complying with the requirements of this policy.
2. Each Supervisor shall be responsible for:
 - a. Informing current incumbent employees periodically of the content and intent of this policy.
 - b. Taking disciplinary action when an employee is in violation of this policy.
3. Agency Human Resource Services (AHRS) shall be responsible for:
 - a. Providing assistance to supervisors and employees in the interpretation and explanation of this policy.
 - b. Assisting management in determining action to be taken if an employee violates this policy.

PROCEDURES:

1. Employees shall follow the ethics requirements as written in Executive Order 2011-02, "Establishing Ethics Requirements for Certain Public Officers and

Employees”, which states in part: “High ethical standards are essential in maintaining the integrity of public officers and employees’ commitment to the public. Public confidence in government is strengthened by ethical standards that assure decisions are made with the interests of the public at large in mind”.

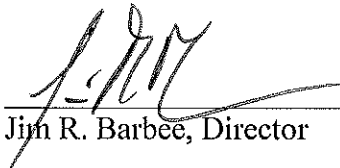
- a. A public officer or employee covered by this order is prohibited from accepting a gift or other compensation, either directly or indirectly, that might be intended to influence or reward the individual in the performance of official business.
 - b. The term “gift” includes any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It includes services as well as gifts of training, transportation, local travel, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.
 - c. In addition to the prohibition on gifts, the Director and Division Heads shall ensure that those who do business with the State of Nevada and those who receive grant funds from the State of Nevada are notified of Nevada’s ethics requirements upon their initial contact with the State or as soon as practicable thereafter.
2. Additionally, NAC 284.746 through 284.770, describe specific activities that violate ethical standards and in which state employees are prohibited. The following activities include, but are not all inclusive of possible ethics violations:
 - a. No employee may seek or accept any gift, service, favor, employment, engagement, emolument or economic opportunity that would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
 - b. No employee may use his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself, any member of his household, any business entity with which he or a member of his household is associated, or any other person.
 - c. An employee shall not enter into a private contract with the State in any capacity that may be construed as an extension of his assigned duties or responsibilities to the State.
 - d. If an employee acquires, through his public duties or relationships, any information which by law or practice is not at the time available to people generally, he may not use the information to further the economic interests of himself or any other person or business entity.

- e. No employee may suppress any governmental report or other document because it might unfavorably affect his private financial interest.
 - f. No employee may directly or indirectly solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, monetary or non-monetary contribution for a political purpose from anyone who is in the same department and who is a subordinate of the solicitor.
 - g. No employee may engage in political activity during the hours of his state employment to improve the chances of a political party or a person seeking office, or at any time engage in political activity to secure a preference for a promotion, transfer or increase in pay.
3. This policy does not limit the application of NRS 281A or any other provision of State or Federal law. Employees unsure of whether an activity may be an ethical violation may seek an opinion from the Commission on Ethics.

POLICY COMMUNICATION:

All new employees of the Department of Agriculture will receive a copy of this policy and will sign an acknowledgement that they have read and understand the conditions within. Supervisors will ensure all currently assigned employees are aware of the requirements of this policy. Employees needing clarification should contact AHRS or the Commission on Ethics for more information.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director



Date

APPROVED BY THE BOARD OF AGRICULTURE ON March 26, 2013.
Effective Date

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NEVADA DEPARTMENT OF AGRICULTURE
VOLUNTEER SERVICES
POLICY #AG-1-HR-14

PURPOSE:

To establish guidelines and procedures in the use of volunteer services to ensure all volunteers, supervisors and administrators are aware of all requirements of the Department, Risk Management Division and the State of Nevada.

POLICY:

It is the policy of the Department of Agriculture to encourage the use of volunteers within appropriate programs and activities to help accomplish department goals and objectives.

SCOPE:

This policy applies to all volunteers placed with the Department of Agriculture and supervisors and management of the Department.

REFERENCES:

Nevada Revised Statutes (NRS) 41.0339, 239.010, 616A.130; the Division of Risk Management's Volunteer General Program Requirements and the Department of Agriculture's policies and procedures as they relate to volunteers.

FORMS:

As currently provided by the Division of Risk Management.

RESPONSIBILITY:

1. Volunteers shall be responsible for:
 - a. Reading, understanding and complying with the "Volunteer Responsibilities" section of this policy.
2. Each Supervisor shall be responsible for:
 - a. Orienting new volunteers and informing current volunteers periodically of the content and intent of this policy.
 - b. Contacting Agency Human Resource Services (AHRS) to receive assistance in the placement of volunteers and completion of required volunteer paperwork.
3. Agency Human Resource Services (AHRS) shall be responsible for:
 - a. Providing assistance to supervisors and volunteers in the interpretation and explanation of this policy and Risk Management requirements.

- b. Assisting supervisors and/or management in completion of required volunteer forms and agreements.

PROCEDURES:

1. **Recruitment of Volunteers:** The recruitment of volunteers can be done throughout the year or on an as-needed basis as deemed necessary by the Division Administrator with the approval of the Director or his designated representative. Recruitment may be done through staff, outreach, or other volunteer programs. Family members of current staff may volunteer. When family members are enrolled as regular volunteers, they should not be placed under the direct supervision of other family members. Volunteers must be at least 18 years of age.
2. **Screening and Selection:** All volunteers shall be interviewed to ensure suitability for and interest in the available position. The interview process should obtain information on the volunteer's qualifications and interests and their commitment to fulfill the requirements of the volunteer assignment.
 - a. If the volunteer work requires specific physical requirements, the supervisor should provide a copy of the essential functions required to perform the work of the position and get the volunteer's assurance that he or she is able to perform those essential functions.
 - b. The volunteer should also provide a statement of any misdemeanor or felony convictions and moving traffic violations.
 - c. Interviews may be conducted by division administrators, supervisors, or any person designated.
 - d. The volunteer may be required to successfully pass a background check dependent upon the type of volunteer work being performed.
3. **Placement:** When placing a volunteer in a position, attention should be given to the interests and capabilities of the volunteer and the requirements of the position. No volunteer should be assigned to a "make-work" position and no position should be given to volunteer that is unqualified or uninterested in the specific type of work. All volunteer placements are done for an initial period of 30 days. At the end of the 30-day period, a review may be conducted in order to gauge the volunteer's performance and/or satisfaction with the assignment. (See Section 8, Volunteer Evaluations).
4. **Completion of Volunteer Paperwork:** The division administrator or supervisor responsible for consideration and placement of a volunteer shall contact AHRs for assistance and to ensure all required paperwork is completed, prior to the volunteer beginning work with the department.


5. **Orientation and Training:** Volunteers will receive copies of all relevant department policies and procedures. They will be given a tour of the work site before beginning work and receive specific on-the-job training from the direct supervisor. The direct supervisor will provide volunteers with the information, equipment and supplies needed to perform their work and to understand the program for which they are volunteering.
6. **Volunteer Rights:** Volunteers are a valuable resource and their contributions are extremely appreciated by the Department. Volunteers shall be given meaningful assignments, be treated fairly and consistently, receive effective supervision, have the right to involvement and participation, and be afforded recognition for work performed.
7. **Volunteer Responsibilities:**
 - a. Volunteers shall not perform professional services for which certification or licensing is required unless currently certified or licensed to do so. If the volunteer is licensed, a copy of that certificate or license must be maintained by the department. A volunteer cannot write interview notices, citations, or, do official identifications.
 - b. Volunteers must not represent themselves as Department spokespersons to the media under any circumstances.
 - c. Standard of Conduct: All communications and actions that volunteers make while providing service to the department should be positive and in support of the department and its personnel.
 - d. Time Accountability: It is critical that volunteers be present and on time for each department event or activity for which they are scheduled. Volunteers shall agree to actively perform their duties to the best of their ability. If unable to be present when scheduled, the volunteer should contact their supervisor at least 24 hours in advance, when feasible.
 - e. Alcohol and Drugs: Volunteers are prohibited from purchasing, transferring, using or possessing illicit drugs, alcohol, prescription drugs, or any other substances in any way that is illegal or that may impair the ability of the volunteer to perform his or her duties properly and safely.
 - f. Safety: The Department is responsible for providing safe conditions for its volunteers. Volunteers are expected to follow all safety rules and procedures. Volunteers should pay particular attention to safety instructions and proper and safe use of equipment. Volunteers should notify their supervisor if they have a safety concern and report any injuries immediately to the person in charge.

- g. Conflict of Interest: No person who has a conflict of interest with any activity or program of the Department shall be accepted or be allowed to continue to serve as a volunteer. At time of placement, the supervisor should discuss this issue with the volunteer to determine either the possibility of any conflict or to inform volunteer of what actions would be seen as conflicts with department activities or programs. The Department Policy on Ethical Behavior (AG-1-HR-13), although addressing state employment, may be used as a guideline. When there is a question, the Division Administrator shall make the determination.
- h. Change of Status: Volunteers shall report to their supervisors any changes in status that may affect their ability to fulfill their duties. Examples of change of status include, but are not limited to: loss or suspension of driver's license, a medical condition, arrests, and criminal investigations.
- i. Dress Code: Volunteers shall conform to the Department approved dress code consistent with their duty assignment.
- j. Reimbursement of Expenses: Volunteers may be eligible for reimbursement of expenses incurred while working for the Department only with prior approval from his or her supervisor.

POLICY COMMUNICATION:

All volunteers with the Department of Agriculture will receive a copy of this policy upon placement and will sign an acknowledgement that they have read and understand the conditions within. Supervisors will ensure all assigned volunteers are aware of the requirements of this policy. Supervisors or volunteers needing clarification should contact AHRS, their supervisor, or their Division Administrator for more information.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director

3/28/13

Date

APPROVED BY THE BOARD OF AGRICULTURE ON March 26, 2013.
Effective Date

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NEVADA DEPARTMENT OF AGRICULTURE
TRAINING/EMPLOYEE DEVELOPMENT
POLICY #AG-1-HR-15

PURPOSE:

To provide procedures and guidelines to all department employees to be used when registering and requesting approval for training classes offered by the State of Nevada or other continuing education or training specific classes or courses required to perform in their job specialty.

POLICY:

It is the policy of the Department of Agriculture to provide and support, within budgetary constraints, job-related training opportunities to all employees within the department when that training is: needed to enable the employee to perform the responsibilities of his or her position or update the employee's skills, knowledge or technical abilities in his current position; or, is beneficial to the department's operation or is required by state, department or federal regulations.

SCOPE:

This policy applies to all employees of the Department of Agriculture.

REFERENCES:

Nevada Revised Statutes (NRS) 284.343, 284.345 and 284.338; Nevada Administrative Code (NAC) 284.482 through 284.510; State Administrative Manual (SAM) 0521 and Nevada Employee Action and Timekeeping System (NEATS) Employee Development, Division of Human Resource Management (DHRM) Procedures.

FORMS:

As currently provided by the DHRM, NEATS System Online Registration.

RESPONSIBILITY:

1. Employees shall be responsible for:
 - a. Reading, understanding and complying with the procedures and guidelines of this policy and NAC 284.482 through 284.510.
2. Each Supervisor or Division Administrator shall be responsible for:
 - a. Ensuring all assigned employees receive training mandated by state or federal regulations and/or required as a condition of employment, within the timeframes required.

- b. Reviewing and approving training requested by employees under their jurisdiction following the procedures and guidelines outlined in this policy.
 - c. Monitoring employees' attendance and completion of training courses and offering appropriate guidance when needed.
3. Agency Human Resource Services (AHRS) shall be responsible for:
- a. Providing assistance to supervisors and employees in the interpretation and explanation of this policy and the State of Nevada DHRM regulations.
 - b. Updating employee training records in NEATS when employee submits proof of training completed outside and separate from state provided training.
 - c. Monitoring employee training records and notifying Department management and providing guidance on action to be taken on issues of non-compliance to regulations or employee's failure to complete training where costs may need to be reimbursed.

PROCEDURES:

1. **Developing Training Plan:** Each Division Administrator shall establish a comprehensive training plan for their division that identifies required training needs for all Division employees. In developing this training plan, typical areas to be evaluated include:
- a. Performance requirements for all job categories in the division;
 - b. State mandated training requirements in areas such as supervision, management, safety, sexual harassment prevention, information security, etc.;
 - c. Training required or mandated for certain job categories, such as Peace Officers' Standards and Training (POST) training requirements, Commercial Driver's License (CDL) required training, Environmental Protection Agency (EPA), pesticide training, etc.;
 - d. Costs related to obtaining Professional Development Hours (PDH) or Continuing Education Units (CEU) (if deemed to be in the best interest of the Department);
 - e. Training sponsored through professional organizations or participation in professional conferences and meetings;
 - f. In-house or on-the-job training requirements;
 - g. Training anticipated for upcoming technological and legal developments;

- h. Out of state training anticipated;
 - i. Training that will increase the professional competence of employees, or increase the number of qualified employees in areas for which the department has difficulty in recruiting or retaining employees;
 - j. Budgeting needed to cover all associated costs of training; and
 - k. A system needed to evaluate the effectiveness of training plan established.
2. **Budgeting For Training:** Per NAC 284.486, money for training must be used to produce the greatest benefit in relation to the total cost of the training. Factors to be considered when developing the training budget may include:
- a. Immediate and essential training priorities of the division;
 - b. Identifying training that can be completed online;
 - c. Identifying all classroom training that can be completed through training classes offered by DHRM or other state agencies, free of charge;
 - d. Identifying specific employees or positions that require specific, mandated state training or other specialized training as a condition of employment;
 - e. Calculating all possible per diem costs anticipated for both in state and out-of-state training;
 - f. Determine training that can be scheduled locally to limit per diem costs; and
 - g. Calculating all equipment and material costs associated with in-house training.
3. **Registering For Training Offered Through NEATS:** Free training courses are offered to state employees in a variety of subject areas relevant to public service. Employees register online through NEATS Online Professional Development Center. NEATS provides clear, step by step instructions to employees on enrollment procedures.
- a. Following NEATS instructions, the employee registers online for the course or courses he wishes to attend. The request will be displayed as "Pending Approval" and the employee's supervisor will be notified in NEATS of the request pending approval.

- b. The supervisor will review the enrollment request, consider the appropriateness of the location and time of the training and relevance to employee's training needs and either approve or deny the request.
- c. Once approved by the supervisor, NEATS will send an email to the employee advising the class was approved.
- d. NEATS will also notify Agency HR Services (AHRS), that the employee was approved to attend the class.
- e. The NEATS system tracks all employees' training, and completed courses are documented on the employee's individual transcripts. NEATS will notify the employee if a class has been cancelled. The system also documents when an employee does not complete a class or drops the class and notifies AHRS of the employee's incomplete status.
- f. When an employee attends professional training courses or conferences, which are for continuing education credit or other training outside those offered by NEATS, a copy of the certificate of completion should be submitted to AHRS for inclusion in the personnel file and entry into their NEATS official transcripts.

4. **Mandatory State Training:**

- a. Mandatory State Training is identified in NAC 284.482 through 284.522.

5. **Public Enrollment Courses:** These are public courses or formal training seminars offered by outside vendors including professional organizations, Continuing Education Divisions of the University and Community College System of Nevada, and private companies.

- a. Employees or their supervisors shall request all training offered outside the NEATS system by completing the internal "Request for Training" form.
- b. The completed form is forwarded to the employee's immediate supervisor and division administrator for review and signature approval.
- c. When in-state training request fees and per diem costs exceed \$2,000.00, signature approval must be received from the Director or his designated representative.
- d. All out-of-state training requests require signature approval from the Director or his designated representative.

6. Release Time to Attend Training:

- a. When the supervisor requires or recommends the training, the supervisor must grant the employee release time to attend training. Release time is considered time worked. The supervisor is also responsible for approving any overtime earned as a result of such training.
- b. When the employee requests training, the supervisor may:
 - i. Grant the employee release time, but not overtime;
 - ii. Require the employee to take approved leave for the work time spent to attend the training; or
 - iii. Deny the request. Approval must be reasonably withheld and the reason for denial must be provided to the employee in writing.

7. Reimbursement or Pre-payment for Training or Education: Fiscal Services, Accounts Payable Section processes voucher payables for all training approved.

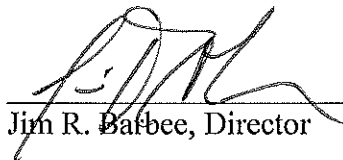
- a. The department may prepay the cost of the training or education; or
- b. The department may reimburse the employee for the expense of the training or education only after successful completion of the training.
- c. When appropriate, and based on guidelines discussed with Agency HR Services, the department may enter into an agreement with an employee requiring the employee to reimburse the department for amounts pre-paid on the employee's behalf, if the employee fails to successfully complete the training pursuant to NAC 284.490.
- d. The employee is responsible for diligently pursuing training courses either assigned by the supervisor or requested by the employee, and notifying the supervisor:
 - i. If they cannot attend the class. Notification must be given with sufficient time to allow a replacement to be sent or enrollment to be cancelled with a full refund.
 - ii. If they are having difficulties learning or completing any assigned course material.
 - iii. If a situation arises that will prevent their successful completion of a course.
 - iv. Of any needed resources or assistance to help apply the training to the workplace.
 - v. Providing proof to the supervisor and AHRS that the employee has successfully completed any approved training course within thirty (30) days of course completion.

- e. The supervisor/manager is responsible for monitoring employees' attendance and completion of training courses and offering appropriate guidance when needed.
- f. The supervisor/manager shall also be responsible for notification to vendors on any student cancellations, changes or withdrawals and determining a replacement or requesting a refund.

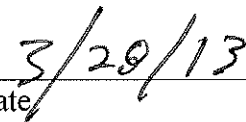
POLICY COMMUNICATION:

All employees with the Department of Agriculture will be provided with a copy of this policy. Supervisors will ensure all assigned employees are aware of the requirements of this policy. Supervisors or employees needing clarification should contact AHRS, their supervisor, or their Division Administrator for more information.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director



Date

APPROVED BY THE BOARD OF AGRICULTURE ON March 26, 2013.
Effective Date

This policy is not a substitute for relevant law or regulation nor does it establish additional rights beyond those provided in law and regulation. This policy is intended to be used in conjunction with the state law and the Rules for State Personnel Administration (NRS & NAC 284).

NEVADA DEPARTMENT OF AGRICULTURE

REQUEST FOR TRAINING (OUTSIDE NEATS SYSTEM)

Name: _____ **Employee ID:** _____

Division: _____ **Budget/Category#:** _____

Explanation of Training:

Vendor Name: _____

Vendor Address: _____

Cost of Training: _____

Estimated Per Diem Costs: _____

Location: _____ **Departure Date:** _____
Return Date: _____

Employee Signature: _____

Supervisor Signature: _____

Division Administrator Approval: _____

Director Level Approval: _____
(Required for Out-Of State Training or when training costs exceed \$2,000.00.)

NEVADA DEPARTMENT OF AGRICULTURE
RECRUITMENT & HIRING
POLICY #AG-1-HR-16

PURPOSE:

To establish general procedures and guidelines to supervisors and management to ensure effective recruitment and hiring of vacant positions, and compliance to Agency Human Recourse Services (AHRS) recruitment and hiring process, the Division of Human Resource Management (DHRM) regulations, and federal Americans With Disabilities Act (ADA) and Equal Employment Opportunity (EEO) requirements.

POLICY:

It is the policy of the Department of Agriculture that supervisors and management will work directly with AHRS in recruiting highly qualified and motivated employees by giving due consideration to all requirements and conditions of employment involved with each position being filled; providing that information to AHRS; and ensuring compliance with all state and federal regulations in the recruitment, interviewing and hiring process.

SCOPE:

This policy and the procedures contained within shall apply to all department supervisors and administrators involved in the recruitment and hiring of employees

REFERENCES:

Nevada Revised Statutes (NRS) 284.150, 284.255, 284.265, 284.305; and Nevada Administrative Code (NAC) 284.295 through 284.439; and AHRS –Request to Fill (RTF) Hiring Instructions.

FORM:

As provided by AHRS (RTF online completion and related form letters) and Division DHRM (ADA-3, Essential Functions)

RESPONSIBILITY:

1. AHRS shall be responsible for:
 - a. Handling all recruitment needs for the Department and providing assistance to supervisors and managers in the recruitment, interviewing and hiring of employees and the interpretation and application of this policy and related policies and regulations.

2. Supervisors and/or Division Administrators shall be responsible for:
 - a. Following all instructions and guidelines provided by AHRS in the recruitment and hiring of employees.
 - b. Following the guidelines outlined in this policy to ensure that complete and thorough recruitment information is provided to AHRS on each position to be filled and that all possible options have been explored in determining best course of action in recruiting and filling the vacancy.
 - c. Review and provide signed approval on each hiring recommendation.

PROCEDURES:

When the supervisor or manager receives notification of a vacancy either through a letter of resignation from a current employee or approval and establishment of a new position, they will complete Section A of the AHRS online Request to Fill (RTF) form located at the DHRM's website.

In many cases, the supervisor or administrator may not readily know exactly how they want to open recruitment for the vacant position or positions and will likely have to do some research to get all their questions answered. Some of these questions can be discussed with AHRS when the supervisor submits the RTF. They can review past recruitments that have been completed and check on the status of existing eligible lists. But, it is essential that the supervisor/administrator provide complete and accurate information on the RTF and work with AHRS in determining the recruitment strategy that will best meet the needs of the department.

1. **Preliminary Considerations:** Some questions that should be answered prior to completion of the RTF include:
 - a. Is there current budget authorization to fill the vacancy or vacancies?
 - b. Are Essential Functions in place for the position that accurately reflects the physical and mental requirements? If there are no Essential Functions in place, the hiring authority must develop the Essential Functions, as AHRS requires they be attached to the RTF.
 - c. Is there an existing eligible list for this class and location that still has sufficient qualified and available applicants to choose from?
 - d. Are there current promotional employees who would meet your hiring needs for the position and also meet the minimum requirements as stated on the class specification?

- e. Have previous recruitments for this class and location proven to be “hard to recruit” or had other problems that developed during the recruitment that need to be defined and resolved? If previous recruitments have been “hard to recruit” due to a serious shortage of qualified and available applicants, what are your options?
- f. Is this position in a classification that should be recruited pro-actively – for “anticipated vacancies as they occur”? A pro-active recruitment would open with an open ended closing date to allow for the time required to perform major outreach efforts to reach qualified applicants, both within and outside the state and interest them in applying.
- g. Is the vacant position one that can be recruited at a lower level in the class series, in order to produce a greater number of candidates available to under-fill the lower level position? The candidate chosen would work in a training capacity at the lower level and be promoted to the budgeted level upon meeting the requirements of the established level of the position and with approval of the hiring authority.
- h. Do you want to consider a transfer, reinstatement or reappointment to fill the position at the established level? If the hiring authority has knowledge of a specific person or persons who are interested, he or she can request to only consider these types of appointments or consider them in addition to recruiting for the position or using an existing eligible list.
- i. What outreach methods would be the most effective (both in cost effectiveness and timeliness) in reaching a qualified applicant pool? This could include advertising in trade journals and other media, notification of job openings at conferences or through professional association mailing lists, word of mouth, or other resources.

2. **Position Description:** The RTF form requires specific position information, and includes drop down menus for certain sections. It is important to indicate the type of position (full-time, part-time, seasonal or intermittent), and the specific location of the position. A clear and concise position description should be provided that outlines the major duties of the position and, when applicable, any selective criteria, (e.g. a Management Analyst position requiring experience in the State of Nevada’s budget development process) Also, identify all additional requirements or working conditions (i.e., a specific certification, license, or endorsement, drug testing, a background check, pre-employment or random drug testing, and any mandatory travel required).

3. **Type of Recruitment:** The hiring authority will choose from the following types of recruitment:

- Divisional – applicants for promotion from within the division where the vacancy exists.
- Departmental – applicants for promotion from within the department where the vacancy exists.
- Statewide - applicants for promotion from throughout state service.
- Open Competitive – all applicants inside and outside state service equally considered.
- Other – can be any combination of the above recruitments. For Example, when a ranked list is certified on a Departmental/Open Competitive recruitment, departmental promotional applicants would appear first in ranked order with all remaining applicants following in ranked order

4. **List Agency Application Reviewers:** This section on the RTF is where the supervisor submits the name or names of the agency staff responsible for reviewing applications of successful candidates. This may be only the person hiring for the position, or it could also include that person's second in charge or an agency subject matter expert. Confidentiality of applicant information is critical.

5. **Length of Recruitment:** Recruitments expected to produce a sufficient applicant pool are typically open for no longer than two weeks and can be open for a shorter time specified by the hiring authority and AHRS. "Hard to Recruit" positions will typically be open "until filled".

6. **What Comes Next:** Once the RTF is completed, the hiring manager submits it, with the Essential Functions, to AHRS at agencyhr@admin.nv.gov. An AHRS recruiting specialist will process the request and will first check for possible layoffs for that position and location.

- If there are layoffs, AHRS will notify the hiring manager and provide guidance and instruction in the rules governing layoffs.
- If there are no layoffs, AHRS will work with the hiring authority in opening a recruitment through the DHRM, or will provide an existing list of candidates that will meet the department's hiring needs.

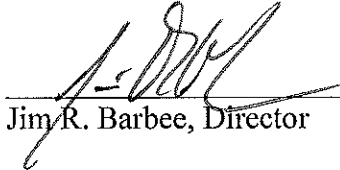
7. **Interviewing Process:** Once a recruitment is complete or an eligible list is received, the hiring manager will contact candidates for interview. AHRS will provide guidance and instruction in the contacting and interviewing of candidates to ensure compliance to NRS and NAC and federal EEO regulations. (Also see "RTF Hiring Instructions" located at the DHRM's website.

8. **Reference Check:** Once a selected candidate is chosen, the hiring manager will contact three employment references provided by the candidate. If the candidate is a current state employee, the hiring manager should send an email request to agencyhr@admin.nv.gov to generate an employee jacket review from AHRS personnel. Once the hiring manager is satisfied with the results of the reference check, he or she completes Section B of the RTF and sends it to AHRS, with the “proposed” candidate information (as outlined in the “RTF Hiring Instructions”).
9. **Divisions Administrator’s Office Review:** At the same time Section B of the RTF and the proposed candidate information is forwarded to AHRS, the hiring manager will also submit his or her proposed appointment selection to the Division Administrator or his designated representative for review and approval. No person shall be offered employment with the Department of Agriculture without the Division Administrator’s approval.
10. **Hiring Documentation:** No job offer should be made until AHRS has reviewed the information submitted, made a final check for any new layoffs, and given final approval to the hiring manager. If the candidate is being hired in a position that requires pre-employment drug testing the selected candidate must be sent for testing per NRS and NAC.
- Following AHRS guidelines in the RTF Hiring Instructions, the hiring manager can now make a job offer to the successful candidate and decide on a start date.
 - Once the job offer has been accepted, Section C on the RTF is completed, the eligible list is coded and signed, and both are sent to AHRS.
 - The hiring manager also is required to send out an offer letter and receive written acceptance of the offer.
 - Within five days of the candidate’s acceptance, the candidates interviewed but not chosen are sent letters of regret or contacted directly and notified.
 - Samples of the offer letter and letter of regret can be found at the DHRM’s website.

POLICY COMMUNICATION:

All supervisors and managers of the Department of Agriculture will receive a copy of this policy. Supervisors needing clarification or who are experiencing problems on any processes involved in the recruiting and hiring of employees should contact AHRS, or their Division Administrator for assistance/problem solving.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director

3/28/13
Date

APPROVED BY THE BOARD OF AGRICULTURE ON March 26, 2013.
Effective Date

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NEVADA DEPARTMENT OF AGRICULTURE
PERSONAL APPEARANCE
POLICY #AG-1-HR-17

PURPOSE:

To establish general guidelines to employees on personal appearance expectations of the Department of Agriculture.

POLICY:

It is the policy of the Department of Agriculture that employees maintain a personal appearance that meets the duties and responsibilities of the job being performed. Appearance is a form of self expression and the goal is not to control or dictate employees' choices, but to ensure a balance of professionalism, safety and comfort in the work environment.

SCOPE:

This policy applies to all employees of the Department of Agriculture.

REFERENCES:

Nevada Administrative Code (NAC) 284.650, and 284.770 and Department's Prohibitions and Penalties.

RESPONSIBILITY:

1. Employees shall be responsible for:
 - a. Complying with the guidelines contained in this policy and when uncertain, seeking guidance from supervisor.
2. Supervisors and/or Division Administrators shall be responsible for:
 - a. Ensuring all employees are made aware of the guidelines provided in this policy and promptly advising employees of any violations to these guidelines.
 - b. Taking appropriate disciplinary action for continued non-compliance that affects the department's professional reputation, causes a safety violation, or is proved to be offensive to others.
3. Agency Human Resource Services (AHRS) shall be responsible for:
 - a. Providing assistance to employees, supervisors and managers in the interpretation and application of this policy.

PROCEDURES:

The Department of Agriculture is a professional organization where employees have regular contact with the public and state and other government officials. It is important that Department employees maintain a professional image.

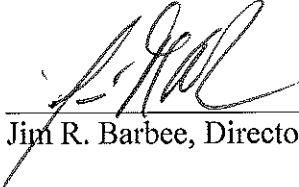
1. Employees' personal appearance shall be neat and clean while on duty. Torn, dirty, stained or frayed clothing is unacceptable and can be viewed as unprofessional and/or unsafe.
2. All employees shall maintain a clean and groomed appearance, including hair and beards. Long hair and beards must be pulled back and secured when operating or working around machinery or equipment or where clear view is essential in performing duties.
3. Clothing should be appropriate according to:
 - a. Job duties
 - b. Season of the year
 - c. Occasion
 - d. Safety requirements
4. In most cases, the following informal business attire is appropriate:
 - a. Coordinated slacks, skirts, shirts and blouses with collars and sleeves;
 - b. Socks or other hosiery and shoes appropriate to job and occasion;
 - c. Blue jeans or related work wear that is not stained, dirty or torn.
5. For business activity which is outside the office for audits, meetings, training sessions, hearings, appearance before the Legislature or Commissions, appearance before the Board of Agriculture, or other activities of a professional nature more formal business attire is required in keeping with your professional status and responsibility to represent the Department.
6. Casual Dress Day
 - a. Casual dress is authorized on Fridays for all employees. Employees should continue to maintain a neat and clean appearance.
 - b. Casual dress is not authorized for employees whose duties that day will require formal contact with the public, businesses or government officials outside the department.
7. Director's Power to Authorize Exceptions
 - a. The Director may authorize limited exceptions to this policy for special occasions and events, such as Reno Rodeo Week, Nevada Day, Halloween, etc.
8. Attire that is expressly prohibited by the Department includes:
 - a. Clothing with any advertising or political statements;

- b. Clothing that reveals body parts, such as midriff, cleavage, or exposed underwear;
 - c. Spandex or Lycra materials such as biking/racing shorts, or other clothing that fits too tightly;
 - d. Any attire displaying drugs, alcohol, pornography and other non-professional logos or statements;
 - e. Rubber sandals more commonly known as flip-flops;
 - f. Shorts (knee length shorts may be acceptable based upon job duties being performed, and with approval of employee's supervisor); and
 - g. Tank top shirts
9. No dress code can cover all contingencies. Employees must exercise good judgment in their personal hygiene and their choice of clothing to wear to work. If an employee is uncertain about what is appropriate, he or she should ask his or her supervisor.
10. If an employee fails to meet the guidelines established in this policy and as determined by his or her supervisor, the employee may be sent home to change for the first offense. If the problem continues, the employee may be subject to disciplinary action.

POLICY COMMUNICATION:

All supervisors and managers of the Department of Agriculture will provide their employees with a copy of this policy. Employees needing clarification should contact their supervisor or AHRS for assistance.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director

3/28/13

Date

APPROVED BY THE BOARD OF AGRICULTURE ON March 26, 2013.
Effective Date

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NEVADA DEPARTMENT OF AGRICULTURE
EMPLOYEE TERMINATION
POLICY #AG-1-HR-18

PURPOSE:

To establish procedures for handling all termination processes required when an employee is leaving employment with the Department of Agriculture.

POLICY:

It is the policy of the Department of Agriculture that when an employee is leaving employment with the Department of Agriculture, that procedures outlined in this policy be followed in order to ensure all necessary steps have been completed in the termination process.

SCOPE:

This policy applies to all Department staff with responsibilities in the processes required in termination of employees.

REFERENCES:

Nevada Revised Statutes (NRS) 284.380, 284.381, 286.3007, and 286.430 and Nevada Administrative Code (NAC) 284.602, 284.608, 284.646; and this policy.

RESPONSIBILITY:

1. Employees shall be responsible for:
 - a. Complying with the guidelines and instructions provided by their supervisor and Agency HR Services (AHRS).
2. Supervisors and/or Division Administrators shall be responsible for:
 - a. Consistently following the procedures outlined in this policy.
 - b. Notifying AHRS immediately of anticipated employee termination and following instructions and guidelines provided by AHRS.
3. Agency Human Resource Services (AHRS) shall be responsible for:
 - a. Providing assistance to employees, supervisors and managers in the interpretation and application of this policy.
 - b. Completion and processing all necessary termination paperwork, including working with agency payroll clerk, other agency personnel representatives (when pertinent), Public Employees' Retirement System (PERS), Public Employees' Benefit Program (PEBP) or other applicable sources.

FORMS:

Department of Human Resource Management (DHRM) Form NPD-45 "Resignation From State Service Or Notice Of Transfer" and Department of Agriculture's "Employee Termination Checklist" Form.

PROCEDURES:

When an employee is voluntarily terminating employment with the Department, the employee's supervisor or administrator shall complete the following steps in the order outlined:

1. Notice of Resignation or Transfer: The employee should, whenever possible, provide at least 2 weeks notice when terminating employment, except in circumstances where the appointing authority and employee have agreed on a shorter period of time.
2. Completion of NPD-45 Form: Whenever possible, the employee should complete the NPD-45 form, "Resignation from State Service or Notification of Transfer to Another Agency" and the appointing authority shall sign and date the form as acceptance of the employee's notice. The completed form should be forwarded to AHRS as soon as possible. This form:
 - a. Advises the employee that he or she may not revoke the notice of termination once three (3) or more working days has elapsed;
 - b. Advises the employee of his or her rights as a transfer; and
 - c. Provides needed employee information for AHRS to process the appropriate paperwork.
 - d. If the employee does not complete the form, the employee's original written notification must be forwarded to AHRS.
3. AHRS Will Process All Employee Termination Documents: Upon receiving notification from the department appointing authority, AHRS will complete all documents and make all contacts necessary for the employee's termination or transfer/promotion to another state agency.
4. Notification to Payroll Clerk: The supervisor shall also notify the Department Payroll Clerk of the employee's notice to terminate employment and the employee's last working day. This notification will allow the payroll clerk to:
 - a. Determine the status of any outstanding travel advances or other payments to be calculated on the employee's final paycheck.

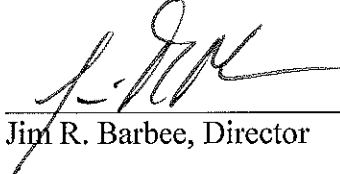
- b. Begin calculations on any annual, sick, or other leave payoffs due.
5. Completion of Employee Termination Checklist: On or around the employee's last day worked, the supervisor and the employee will complete the Department's Employee Termination Checklist form.
- a. The supervisor will complete Section A, which acknowledges the employee has returned:
 - i. State gas and all other agency credit cards;
 - ii. Telephone credit card;
 - iii. Cell phone;
 - iv. Keys (building, desk, file and agency vehicle and gas);
 - v. Employee ID badge; and
 - vi. All equipment assigned to employee (i.e., laptop, cameras, etc.).
 - b. The supervisor will review the information in Section B with the employee and determine the following:
 - i. Has final timesheet been submitted and approved?
 - ii. Any outstanding travel advances or other costs employee needs to reimburse (supervisor notifies payroll clerk).
 - iii. Any travel claims or other reimbursements due the employee (supervisor notifies payroll clerk).
 - iv. If employee is transferring to another agency, what leave is being transferred and what must be paid by the Department (i.e., comp leave balance)?
 - v. The employee will provide a forwarding address where the final pay check and W-2 form should be mailed.
 - c. When the employee is in the PERS and is terminating from state service, if he or she is requesting a refund of employee contributions. (Employee should contact AHRS and PERS for assistance).
 - d. Has employee requested an exit interview with the Director? (Employee may also complete the "Employee Exit Interview Survey" at the DHRM's website).
 - e. The employee and the supervisor sign the Termination Check List acknowledging agreement with what has been completed on the form.
 - f. The supervisor submits the completed form to AHRS to be filed in the employee's personnel jacket.
 - g. The supervisor promptly advises the IT department of the employee's termination and returns any IT equipment and ID badge used by the employee. IT will remove the employee's department workstation and network access.

- h. All department credit cards and department cell phone are returned to the Division Administrator.
- i. **Important Note:** Per NAC 284.726, if an employee anticipates a need for a reference to be provided by the supervisor or department representative, he or she must provide a written waiver authorizing release of confidential information. This waiver will be kept in the employee's personnel file in the department.

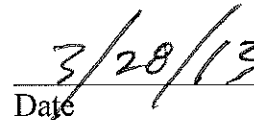
POLICY COMMUNICATION:

All supervisors and managers of the Department of Agriculture will be provided with a copy of this policy. Any supervisor needing clarification on any portion of the termination process should contact AHRS for assistance.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director



Date

APPROVED BY THE BOARD OF AGRICULTURE ON March 26, 2013.
Effective Date

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**DEPARTMENT OF AGRICULTURE
EMPLOYEE TERMINATION CHECKLIST**

Employee Name/ID #: _____
Effective Date of Termination: _____

Check each box and sign each section as appropriate. Upon completion, form should be submitted to Agency HR Services for retention in employee's personnel jacket.

**A. TO BE COMPLETED BY SUPERVISOR WITH
EMPLOYEE SIGNATURE ACKNOWLEDGEMENT:**

Initial

_____ Agency Travel Card(s) returned (Specify): _____
_____ Telephone Credit Card returned: _____
_____ Cell phone returned
_____ Employee ID Badge returned
_____ Keys (building, desk, file and agency vehicle and gas) returned
_____ Equipment assigned to employee returned: Specify: _____

Employee Signature

Date

B. FINAL PAY CALCULATION:

Supervisor must verify status with Payroll Clerk:

_____ Final NEATS timesheet submitted

Employee Signature

Date

_____ Final NEATS timesheet approved

Supervisor Signature

Date

_____ Outstanding travel advances or other costs to be reimbursed by employee.

_____ Travel claims or other cost reimbursements due employee.

_____ Final Pay Check will be picked up by employee; OR

_____ Final Pay Check to be Mailed to employee's address (if change of address,
Indicate change of address below:

_____ (If requested), an exit interview has been completed with the Director. Employee may also complete the "Employee Exit Interview Survey" at <http://www.zoomerang.com/survey.zgi?p=WEB227A536D4S6>

Supervisor's Signature (required)

Date